

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)
OF IDAHO POWER COMPANY FOR) CASE NO. IPC-E-10-14
APPROVAL OF AN AGREEMENT FOR)
CONTINUATION OF ELECTRIC SERVICE)
BETWEEN IDAHO POWER COMPANY) ORDER NO. 31075
AND THE UNITED STATES DEPARTMENT)
OF ENERGY)

On April 16, 2010, Idaho Power Company filed an Application for an Order approving another one-year extension to the special contract for electric service between Idaho Power and the U.S. Department of Energy (DOE) at the Idaho National Laboratory (INL) site. More specifically, Idaho Power seeks approval for a fourth, one-year extension of its special contract (Schedule 30) with DOE. The current extension expires on May 14, 2010. The Company requests that the Commission process this Application on an expedited basis and approve this extension without further public comment. Application at 3.

BACKGROUND

The current special contract between Idaho Power and DOE was initially approved by the Commission in May 2006 in Order No. 30030. *Id.* The 2006 contract grants DOE the option of requesting up to four, one-year extensions. The 2006 contract has previously been extended three times (in 2007, 2008, and 2009). See Order Nos. 30314, 30536, and 30816. In the three prior contract extensions, the Commission approved the extension without public comment or hearing.

Idaho Power notes that there was one change to the contract extension. DOE indicated in its negotiations with Idaho Power that its load might exceed the 45,000 kW "Estimated Demand" cap shown in the previous extensions. Consequently, the parties have changed the Estimated Demand shown in this extension from a range of 27,000 kW to 45,000 kW to a range of 27,000 kW to 54,000 kW. The Application notes that this increase "is within the requirements limit that Idaho Power is obligated to provide under the 2006 Agreement." Application at 2.

STAFF RECOMMENDATION

Staff has reviewed the Application and confirmed that the Estimated Demand range has changed. Under this extension (“the 2010 Extension”), electric service to INL will continue to be provided under the 2006 special contract contained in tariff Schedule 30. The tariff rates and charges for providing service under the 2010 Extension are subject to change in any subsequent ratemaking proceeding. Staff concurs with the Company’s request that the 2010 Extension be approved without further public notice or comment.

COMMISSION FINDINGS

The Commission has reviewed the Application and the underlying 2006 special contract between Idaho Power and DOE for electric service at the INL. See Order No. 30030, Case No. IPC-E-06-12. The rates and charges under the 2006 special contract and the 2010 Extension are subject to subsequent change in an appropriate rate proceeding before the Commission. Because there are no substantive changes to the special contract (except the increase in Estimated Demand), or the rates contained therein, we find that it is reasonable to approve the 2010 Extension without further public notice or comment. *Idaho Code* § 61-307. The 2010 Extension shall become effective on May 15, 2010, and shall run through May 14, 2011, pursuant to Exhibit A of the Application.

CONCLUSIONS OF LAW

The Idaho Public Utilities Commission has jurisdiction over Idaho Power Company and the special contract (Schedule 30) for electric service between the utility and the U.S. Department of Energy pursuant to *Idaho Code* §§ 61-129, 61-502 and Section 12 of the addendum to the Special Contract No. GS-00P-99-BSD-0124.

ORDER

IT IS HEREBY ORDERED that Idaho Power Company’s Application for a one-year extension (the 2010 Extension) to the underlying April 20, 2006, special contract between Idaho Power Company and the U.S. Department of Energy for electric service at the Idaho National Laboratory is approved. The 2010 Extension to the special contract contained in tariff Schedule 30 shall become effective on May 15, 2010, and shall run through May 14, 2011.


THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) or in interlocutory Orders previously issued in this Case No. IPC-E-10-14 may petition for reconsideration within twenty-one (21) days of the service date of this Order

with regard to any matter decided in this Order or in interlocutory Orders previously issued in this case. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.


DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 6th day of May 2010.


JIM D. KEMPTON, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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