

## DECISION MEMORANDUM

**TO:** COMMISSIONER KEMPTON  
COMMISSIONER SMITH  
COMMISSIONER REDFORD  
COMMISSION SECRETARY  
COMMISSION STAFF

**FROM:** DON HOWELL  
DEPUTY ATTORNEY GENERAL

**DATE:** APRIL 28, 2010

**SUBJECT:** IDAHO POWER'S APPLICATION TO EXTEND ITS ELECTRIC SERVICE CONTRACT WITH THE IDAHO NATIONAL LABORATORY, CASE NO. IPC-E-10-14

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 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 expedited processing of the contract extension. 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 to 45,000 kW to a range of 27,000 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.

Because the current contract 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.

#### **STAFF RECOMMENDATION**

Staff has reviewed the Application and confirmed that the Estimated Demand range has been increased to 27,000 - 54,000 kW. Under this extension (“the 2010 Extension”), electric service to INL will continue to be provided under tariff Schedule 30. The tariff rates and charges under Schedule 30 for providing service under the 2010 Extension are subject to change in any Commission ratemaking proceeding. Given the press of time and the lack of any substantive change, Staff concurs with the Company’s request that this 2010 Extension be approved without further notice or public comment.

#### **COMMISSION DECISION**

Does the Commission find it reasonable to approve the proposed one-year 2010 Extension (until May 14, 2011) of the special contract (Schedule 30) between Idaho Power and DOE without further notice or procedure?



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Don Howell  
Deputy Attorney General

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