

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)	
COMPANY’S PETITION FOR APPROVAL)	CASE NO. IPC-E-14-02
OF THIRD AMENDMENT TO ITS)	
AGREEMENT WITH ENERNOC, INC. –)	NOTICE OF PETITION
DEMAND RESPONSE PROGRAM)	
)	NOTICE OF
)	MODIFIED PROCEDURE
)	
)	ORDER NO. 33007

YOU ARE HEREBY NOTIFIED that on March 7, 2014, Idaho Power Company filed a Petition requesting approval of the third amendment to the Company’s Agreement with EnerNOC, Inc. EnerNOC pursuant to the Agreement provides a demand response program for Idaho Power’s commercial and industrial customers, identified as its Flex Peak Management Program. The objective of the Flex Peak Program is to reduce demand on Idaho Power’s system during peak load times by customers’ voluntary reduction in electrical use. EnerNOC is responsible for developing and implementing all marketing plans, securing participants, installing and maintaining all equipment beyond Idaho Power’s meter necessary to reduce demand, track participation, and report results to the Company. Petition, p. 2.

YOU ARE FURTHER NOTIFIED that the Commission approved the initial Agreement between Idaho Power and EnerNOC in May 2009, and approved the first amendment to the Agreement in June 2010. In December 2012, Idaho Power filed an application requesting authority to temporarily suspend two demand response programs, the A/C Cool Credit and Irrigation Peak Rewards programs, because the Company’s 2013 Integrated Resource Plan did not show peak hour capacity deficits until July 2016. In February 2013, the parties in the case reached a settlement to allow for the temporary suspension of the A/C Cool Credit Program and Irrigation Peak Rewards Program during the 2013 season. In March 2013, the Company filed a petition seeking Commission approval of a second amendment to the Agreement allowing the Company and EnerNOC to reduce the amount of weekly nominated demand reduction obligations, the available hours of the program, and the amount per kilowatt that Idaho Power pays to EnerNOC. The Commission subsequently approved the second amendment to the

Agreement and directed the Company to discuss the future of the Flex Peak Program during demand response workshops to be held that summer. Order No. 32805. Public workshops were convened in July and August 2013, with a final public workshop and settlement conference on August 27, 2013. In October 2013, Idaho Power requested the Commission approve a settlement agreement signed by the Company and participating parties relating to the modification and reinstatement of the Company's demand response programs for 2014 and beyond. Petition, p. 4. The Commission later issued Order No. 32923 approving the settlement agreement. The Company filed a Petition in this case seeking approval of the third amendment to modify the Agreement to comply with the terms of the settlement agreement previously approved by the Commission. Petition, p. 4.

YOU ARE FURTHER NOTIFIED that Idaho Power's Petition states that the third amendment aligns with the settlement agreement approved in Case No. IPC-E-13-14. It extends the contract termination date through the end of the 2014 program season, reduces payments to EnerNOC, and makes changes to the payment structure, along with other changes. The third amendment also makes a few changes not identified in the settlement agreement. Specifically, the third amendment limits availability of the Flex Peak Program after the first three dispatch events. Idaho Power Petition, p. 5. The Petition states that because these dispatch limitations were not mentioned in the settlement agreement, Idaho Power consulted its Energy Efficiency Advisory Group (EEAG), which supported the Company placing the additional term in the third amendment. *Id.*

YOU ARE FURTHER NOTIFIED that Idaho Power states that EnerNOC believes the original Agreement and subsequent amendments contain information that is confidential, valuable proprietary information. Accordingly, the Company filed its third amendment under separate cover and in accordance with the Commission's rules on handling confidential information. Petition, pp. 5-6. The Company prepared a confidential explanation of the third amendment that will be available to parties upon request and execution of the appropriate Protective Agreement.

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules

of Procedure, IDAPA 31.01.01.201-204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or in opposition with the Commission within twenty-one (21) days from the service date of this Notice. The comment must contain a statement of reasons supporting the comment.

YOU ARE FURTHER NOTIFIED that that the Company must file reply comments within seven days of the comment period.

YOU ARE FURTHER NOTIFIED that persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application may be mailed to the Commission and Idaho Power at the addresses reflected below:

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, Idaho 83720-0074

Street Address for Express Mail:

472 W. Washington Street
Boise, ID 83702-5918

Julia A. Hilton
Idaho Power Company
PO Box 70
Boise, ID 83707-0070
Email: jhilton@idahopower.com

Tami White
Idaho Power Company
PO Box 70
Boise, ID 83707-0070
Email: twhite@idahopower.com

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at www.puc.idaho.gov. Click the "Case Comment or Question Form" under the "Consumers" tab, and complete the comment form using the case number as it appears on the front of this document. These comments must also be sent to the Applicant at the e-mail address listed above.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing. If written comments are received within the time limit

set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

YOU ARE FURTHER NOTIFIED that the Application has been filed with the Commission and is available for public inspection during regular business hours at the Commission offices. The Application is also available on the Commission's web site at www.puc.idaho.gov. Click on the "File Room" tab at the top of the page, scroll down to "Open Electric Cases," and then click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code and specifically *Idaho Code* § 61-501, 61-502, and 61-503. The Commission may enter any final Order consistent with its authority under Title 61.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

ORDER

IT IS HEREBY ORDERED that this case be processed under Modified Procedure. Interested persons and the parties may file written comments within 21 days of the service date of this Order. The Company must file reply comments within seven days of the comment period.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 1st
day of April 2014.



PAUL KJELLANDER, PRESIDENT

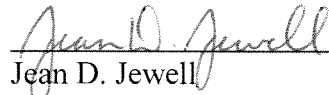


MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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