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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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IN THE MATTER OF THE APPLICATION OF IDAHO POWER)
COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY FOR THE RATE BASING OF THE MILNER)
HYDROELECTRIC PROJECT, OR IN THE ALTERNATIVE A)
DETERMINATION OF EXEMPT STATUS FOR THE MILNER)
HYDROELECTRIC PROJECT.

CASE NO. IPC-E-90-8
30 AUG 27 PM 1 54
COMMENTS OF IDAHO
CONSUMER AFFAIRS, IDAHO PUBLIC
UTILITIES COMMISSION

R. Hallin

COMES NOW, Idaho Consumer affairs, Inc. (ICA) by and through its intervenor representative, Mr. Harold C. Miles, 316 Fifteenth Ave. South, Nampa, Idaho 83651 submits the following comments for the Commission's consideration relative to Case No. IPC-E-90-8 in compliance with the IPUC's notice of July 31st 1990.

ICA supports this Milner hydroelectric project since we believe hydro electric generation is a very beneficial use of Idaho's water. It is a renewable resource, and as this project is a run of the river project it will, for all practical purposes be a non-consumptive use of water. In addition, it will be less expensive to operate, and based over the life of the project, if well constructed, will be less expensive for the ratepayers, per kwh, than a coal plant, which both this commission and IPC have stated will be the alternative to Idaho's future needs for power, both entities which seem to discount conservation as a viable alternative.

We endorse the statement in FERC's Final Impact Statement, (FERC #2899), for the Milner Project of July 1990 at page 4-98 quote, "Stabilization of bypass reach flows would improve fish habitat in the bypass reach. During the summer irrigation season, during the downside of spring flows, and in the fall after the end of the irrigation season, the range of flow fluctuation in the bypass reach would be reduced from 200-1,100 cfs to 200-300 cfs. The resulting more stable flows of 200-350 cfs in the bypass reach (we don't know why the variance of 50 cfs here) would likely increase fish food production, since unstable flows reduce aquatic invertebrate productivity (Ward, 1976, Baxter & Glaude, 1980, Cushman, 1985)", endquote.

We incorporate this quotation from the FERC EIS of July 1990, page 4-98 into our comments by reference.

The Idaho State Water Plan, adopted by the Idaho Water Resource Board (IWRB) on December 12, 1986, and subsequently by the Idaho Legislature, in Policy 5A at page 28 states in part quote, "It is the policy of Idaho that the ground water and surface water of the Basin be managed to meet or exceed a minimum average daily flow of zero measured at the Milner gauging station," endquote. (we incorporate this statement into our comments by reference.) Therefore, if irrigators owning the canals in the Magic Valley and Milner Dam are not agreeable to this summer minimum flow recommended by FERC, then it is incumbent upon Idaho Power to purchase at least 200 cfs to maintain this summer minimum flow below Milner Dam.

We feel the IPUC staff is better qualified to review the construction contracts that will be let for a well constructed project than we, consequently we leave these matters to their good judgment.

Respectfully submitted,

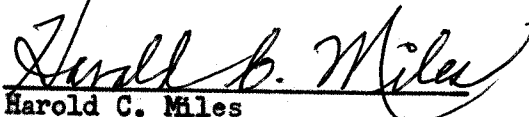
IDAHO CONSUMER AFFAIRS, INC.



By: Harold C. Miles-Chairman
Energy & Natural Resources Committee

Dated at: Nampa, Idaho
August 27, 1990

This is to certify that on August 27, 1990 we hand delivered seven copies and the original of this document to the secretary of the IPUC and two copies of this document to Idaho Power Co. Also, we mailed a copy of this document, first class, postage paid to all the parties of record per the list furnished us by the secretary of the IPUC.



Harold C. Miles

Dated at: Nampa, Idaho
August 27, 1990