

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
FOR APPROVAL OF A SERVICE AREA)	CASE NO. PAC-E-12-13
EXCEPTION AGREEMENT BETWEEN)	
PACIFICORP DBA ROCKY MOUNTAIN)	NOTICE OF APPLICATION
POWER AND IDAHO POWER COMPANY)	
TO PROVIDE STATION SERVICE AT THE)	NOTICE OF
POWER COUNTY WIND PARK NORTH)	MODIFIED PROCEDURE
LLC, LOCATED IN POWER COUNTY,)	
IDAHO)	ORDER NO. 32623

On August 16, 2012, PacifiCorp dba Rocky Mountain Power filed a “Joint Application” seeking the Commission’s approval of a “Service Area Exception Agreement” between itself and Idaho Power Company. Under the terms of the Agreement, Rocky Mountain will be allowed to provide “station service” to a wind developer providing power to Rocky Mountain. In this case the wind developer (Power County Wind Park North) is located in Idaho Power’s service territory.¹ The utilities have executed their Agreement pursuant to the provisions of the Electric Supplier Stabilization Act (“ESSA”) and specifically *Idaho Code* § 61-333(1).

THE APPLICATION

In their Service Area Exception Agreement dated August 14, 2012, the utilities agree to allow Rocky Mountain to provide “station service” to a wind qualifying facility which is located in the certificated service territory of Idaho Power in Power County, Idaho. The term “station service” typically refers to the electric service provided to a generating facility when the facility is not generating sufficient power to meet its own electric requirements for lighting, heat, operating instruments, and other equipment. The Application maintains that the amount of electric power generated by Power County Wind “is insufficient to serve the Facility.” Application at 2. The Application further states that the nearest Idaho Power facilities are approximately five miles from the point where Rocky Mountain interconnects with the wind facility. *Id.* at 2-3. Rather than Idaho Power supplying station service to the wind facility

¹ In Order No. 32084 issued October 6, 2010, the Commission approved a Power Purchase Agreement (PPA) between Rocky Mountain and Power County Wind.

delivering generation to Rocky Mountain, the utilities have agreed to allow Rocky Mountain to provide such service. The utilities contemplate no changes in their certificated service territories. Agreement at § 2.2. The utilities have also requested that the Commission process this Application under Modified Procedure.

THE ESSA

Idaho Code § 61-333(1) provides that electric suppliers may contract for the purpose of “allocating territories, consumers, and future consumers ... and designating which territories and consumers are to be served by which contracting electric supplier.” Under the ESSA, both Rocky Mountain and Idaho Power are defined as electric suppliers. *Idaho Code* § 61-332A(4). After notice and opportunity for hearing, the Commission may approve agreements allocating service territories and/or customers between electric suppliers only upon finding that the allocation is in conformance with the purposes of the ESSA. *Idaho Code* § 61-333(1). The purposes of the ESSA are to: (1) discourage duplication of facilities; (2) prohibit “pirating” of consumers; (3) stabilize electric suppliers’ service territories and consumers; and (4) promote harmony between electric suppliers. *Idaho Code* § 61-332(2).

NOTICE OF MODIFIED PROCEDURE

YOU ARE HEREBY 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 through .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 Joint Application may file a written comment in support or 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. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission and the Applicants at the addresses reflected below:

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

Street Address for Express Mail:

472 W. Washington Street
Boise, ID 83702-5918

Ted Weston
Idaho Regulatory Affairs Manager
Daniel E. Solander
Senior Counsel
Rocky Mountain Power
201 S. Main Street Suite 2300
Salt Lake City, UT 84111
E-Mail: ted.weston@pacificorp.com
daniel.solander@pacificorp.com

Julia Hilton
Lisa Nordstrom
Idaho Power Company
1221 W. Idaho Street
PO Box 70
Boise, ID 83707-0070
E-mail: jhilton@idahopower.com
lnordstrom@idahopower.com

All 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 "Comments and Questions" icon 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 Applicants at the e-mail addresses 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 Joint Application and the Service Area Exception Agreement have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. The Application and Agreement are also available on the Commission's web site at www.puc.idaho.gov by clicking on "File Room" and then "Electric Cases."

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 §§ 61-333(1) and 61-334B. 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.*

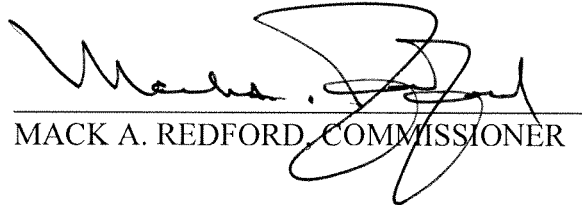
ORDER

IT IS HEREBY ORDERED that this Joint Application be processed under Modified Procedure. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure should do so no later than 21 days from the service date of this Order.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 21st day of August 2012.



PAUL KJELLANDER, PRESIDENT

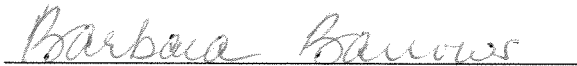


MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Barbara Barrows
Assistant Commission Secretary

bls/O:PAC-E-12-13_dh