

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)	
IDAHO POWER COMPANY FOR APPROVAL)	CASE NO. IPC-E-04-7
OF AN AGREEMENT FOR SALE AND)	
PURCHASE OF ELECTRIC ENERGY)	
BETWEEN IDAHO POWER COMPANY AND)	
THE J.R. SIMPLOT COMPANY)	ORDER NO. 29503
)	

On March 5, 2004, Idaho Power Company (Idaho Power; Company) filed an Application with the Idaho Public Utilities Commission (Commission) requesting approval of a Firm Energy Sales Agreement (Agreement) between Idaho Power and J.R. Simplot Company (Simplot) dated February 19, 2004.

Pursuant to Notice issued March 23, 2004, the Company's Application was processed using Modified Procedure. The deadline for filing written comments was April 16, 2004. Timely comments were filed by the Commission Staff and the Idaho Department of Water Resources. Reply Comments were filed by Idaho and the J.R. Simplot Company.

On May 20, 2004, Idaho Power on behalf of itself and Simplot filed a Motion to Withdraw its Application in Case No. IPC-E-04-7. As reflected in the Motion filing, Idaho Power and Simplot have agreed to cancel the February 19, 2004 Agreement and to enter into a new Firm Energy Sales Agreement. They state that the new agreement should eliminate the major concerns expressed in the Commission Staff's comments in this case. The new agreement will be submitted for approval when executed.

Idaho Power requests that the Commission grant its Motion to Withdraw its Application and conclude Case No. IPC-E-04-7. The Commission in this Order grants the Company's Motion.

COMMISSION FINDINGS

The Commission has reviewed and considered the filings of record in Case No. IPC-E-04-7. We have reviewed the Company's Motion to Withdraw Application and find good cause to grant same. Reference IDAPA 31.01.01.068.

CONCLUSIONS OF LAW

The Idaho Public Utilities Commission has jurisdiction over Idaho Power Company, an electric utility, pursuant to the authority and power granted it under Title 61 of the Idaho Code and the Public Utility Regulatory Policies Act of 1978 (PURPA).

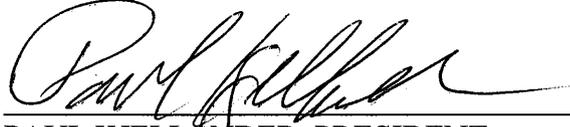
The Commission has authority under PURPA and the implementing regulations of the Federal Energy Regulatory Commission (FERC) to set avoided costs, to order electric utilities to enter into fixed term obligations for the purchase of energy from Qualified Facilities and to implement FERC rules.

ORDER

In consideration of the foregoing and as more particularly described above, IT IS HEREBY ORDERED and the Commission does hereby grant the Motion of Idaho Power Company to withdraw its Application in Case No. IPC-E-04-7. In so doing, the Commission concludes proceedings and closes Case No. IPC-E-04-7.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) 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. 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 27th
day of May 2004.



PAUL KJELLANDER, PRESIDENT



MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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