

38,000 kilowatts upon one year prior written notice to the Company. (Under the 1973 Agreement, Idaho Power agreed to supply and Simplot agreed to purchase up to 38,000 kilowatts.) The Minimum Billing Demand is the Contract Demand less 5,000 kilowatts. The availability of power in excess of the Contract Demand is not guaranteed, and if Billing Demand at the Simplot Facility exceeds the Contract Demand, Idaho Power may curtail service to the Simplot facility.

Idaho Power states that the 2004 Agreement is similar to the Company's special contract with Micron Technology. Reference Order No. 26238, November 20, 1995. The unique provisions of the 2004 Agreement are described below.

Section 8.1 of the 2004 Agreement establishes that the rates and charges for electrical power, energy and other services provided by the Company to the Pocatello facility will be determined in accordance with the sum of the components of electric tariff Schedule 29 and its successor schedules. The monthly charges under the 1973 Agreement include a Demand Charge, an Energy Charge and a Facility Charge. The monthly charges under the 2004 Agreement include the same three charges plus a contract Demand Charge. The individual component charges for the 2004 Agreement were derived by first establishing the charges utilizing the 2003 normalized test year revenues and usage for Simplot from Case No. IPC-E-03-13 and by adjusting the charges on a uniform percentage basis to derive the revenue requirement authorized for Simplot by Commission Order No. 29505 in Case No. IPC-E-03-13. Reference Worksheets, App. Att. 3.

All transmission and distribution facilities necessary for the delivery of power and energy to the Pocatello facility are installed, owned and operated by Idaho Power. Section 7 of the 2004 Agreement permits the parties to enter into separate agreements to provide any additional transmission and/or substation facilities that may be required to provide electric service to the Pocatello facility. Section 7.2 of the 2004 Agreement sets forth the monthly Facilities Charge that Simplot agrees to pay for the use of the Company's distribution facilities. Under the 2004 Agreement, the monthly Facilities Charge remains unchanged at 1.7% per month.

If approved by the Commission, the 2004 Agreement would remain in effect for five years, through June 30, 2009, and would automatically renew thereafter until either party to the 2004 Agreement terminates that Agreement in accordance with the Agreement terms and

provisions. The effective date of any termination cannot be less than 12 months after the date of delivery of the termination notice.

YOU ARE FURTHER NOTIFIED that the Commission has reviewed the filings of record in Case No. IPC-E-04-17. The Commission has preliminarily found that the public interest in this matter may not require a hearing to consider the issues presented and that issues raised by the Company's filing may be processed under **Modified Procedure**, i.e., by written submission rather than by hearing. Reference Commission Rules of Procedure, IDAPA 31.01.01.201-204.

YOU ARE FURTHER NOTIFIED that **the deadline for filing written comments or protests** with respect to the Application and the Commission's use of Modified Procedure in **Case No. IPC-E-04-17 is Friday, August 13, 2004**. Persons desiring a hearing must specifically request a hearing in their written protests or comments.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the deadline, the Commission may consider the issue on its merits and enter its Order without a formal hearing. If comments or protests are filed within the deadline, the Commission will consider them and in its discretion may set the matter for hearing or may decide the matter and issue its Order based on the written positions before it. Reference IDAPA 31.01.01.204.

YOU ARE FURTHER NOTIFIED that written comments concerning Case No. IPC-E-04-17 should be mailed to the Commission and the Company 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 ST
BOISE, ID 83702-5983

MONICA MOEN, ATTORNEY II
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JOHN R. GALE
V.P., REGULATORY AFFAIRS
IDAHO POWER COMPANY
PO BOX 70

BOISE ID 83707-0070

e-mail: rgale@idahopower.com

Street Address for Express Mail:

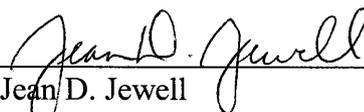
1221 West Idaho Street
Boise, Idaho 83702

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.state.id.us. Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document.

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 in Case No. IPC-E-04-17 may be viewed at www.puc.state.id.us by clicking on "File Room" and "Electric Cases," or can be viewed during regular business hours at the Idaho Public Utilities Commission, 472 West Washington Street, Boise, Idaho and at the general business office of Idaho Power Company, 1221 West Idaho Street, Boise, Idaho.

DATED at Boise, Idaho this 22nd day of July 2004.



Jean D. Jewell
Commission Secretary

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