

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER HANSEN
COMMISSION SECRETARY
COMMISSION STAFF

FROM: KIRA DALE PFISTERER

DATE: APRIL 1, 2005

RE: CASE NO. IPC-E-05-11
FIRM ENERGY SALES AGREEMENT – PRISTINE SPRINGS, INC.

On March 4, 2005, Idaho Power Company filed an Application requesting approval of a Firm Energy Sales Agreement (Agreement) between Idaho Power and Pristine Springs, Inc. dated February 18, 2005. The new Agreement was developed to replace the existing Firm Energy Sales Agreement between Idaho Power and Pristine Springs due to expire on March 30, 2005. *See* Order No. 25793.

As reflected in Article 24 of the Agreement, the Agreement will not become effective until the Commission has approved all the Agreement's terms and conditions. On March 17, the Commission decided to process the Application pursuant to Modified Procedure. Notice of the Application and Modified Procedure was issued March 22, 2005. *See* Order No. 29738. The deadline for filing comments is April 12, 2005.

Because the old Agreement expired March 30, 2004, and the new Agreement has not yet been approved, Idaho Power filed a Motion requesting extension of the existing Agreement pending approval of the new Agreement. This Motion was filed on March 30, 2005.

STAFF RECOMMENDATION

The Commission Staff supports granting the Motion but wishes to caution Idaho Power to submit its future Public Utility Regulatory Policies Act of 1978 (PURPA) contracts with sufficient time to allow for a public comment period prior to any Commission decision.

COMMISSION DECISION

Does the Commission wish to grant this Motion and allow Idaho Power to extend the terms of the old Agreement pending approval of the new Agreement?



Kira Dale Pfisterer

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