



IDAHO POWER COMPANY
P.O. BOX 70
BOISE, IDAHO 83707

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BARTON L. KLINE
Senior Attorney

IDAHO PUBLIC
UTILITIES COMMISSION

November 2, 2005

Jean D. Jewell, Secretary
Idaho Public Utilities Commission
472 West Washington Street
P. O. Box 83720
Boise, Idaho 83720-0074

Re: Case No. IPC-E-05-27
Idaho Power Company's Answer

Dear Ms. Jewell:

Please find enclosed for filing an original and seven (7) copies of the Company's Answer in the above-entitled case.

I would appreciate it if you would return a stamped copy of this transmittal letter for our files in the enclosed self-addressed stamped envelope.

Very truly yours,

Barton L. Kline

BLK:jb
Enclosures

BARTON L. KLINE, ISB # 1526
MONICA B. MOEN, ISB # 5734
Idaho Power Company
1221 West Idaho Street
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IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for Idaho Power Company

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

TIERRA ENERGY, LLC,)	
)	
Complainant,)	CASE NO. IPC-E-05-27
)	
v.)	ANSWER
)	
IDAHO POWER COMPANY,)	
)	
Respondent.)	
_____)	

Respondent, Idaho Power Company ("Idaho Power" or "Company"), in accordance with RP 057, hereby answers the Complaint of Complainant, Tierra Energy, LLC ("Tierra") in the above-entitled case as follows:

1. Unless specifically admitted herein, Idaho Power denies all of the allegations contained in the Complaint.
2. Idaho Power admits that it is an electric utility providing electric service in the State of Idaho subject to the jurisdiction of the Commission. The balance

of the statements contained in Paragraph 1 constitute legal conclusions, not allegations of fact that can be admitted or denied. As such, Idaho Power denies the same.

3. As applied to wind generation QFs, Idaho Power denies the allegations contained in Paragraph 2. Order No. 29646 speaks for itself.

4. Idaho Power denies the allegation in Paragraph 3 that Tierra operates a wind power generation project in Power County, Idaho. Without sufficient information and knowledge to verify the truth or falsity of the balance of the allegations in Paragraph 3, Idaho Power denies the same.

5. Idaho Power admits receipt of a letter from Tierra dated June 27, 2005. The letter speaks for itself. Idaho Power admits that Tierra telephoned to advise Idaho Power that the June 27, 2005 letter was coming. Idaho Power denies the balance of the allegations contained in Paragraph 4.

6. Complainant's statements contained in Paragraph 5 constitute legal conclusions, not allegations of fact that can be admitted or denied. As such, Idaho Power denies the same.

7. Idaho Power admits that it filed a Petition on June 17, 2005 which was docketed by the Commission as Case No. IPC-E-05-22. The petition speaks for itself. Idaho Power admits that the Commission has issued both interlocutory and final orders in Case No. IPC-E-05-22. The orders speak for themselves. Idaho Power denies the balance of the allegations contained in Paragraph 6.

8. Idaho Power admits that on June 27, 2005, the Commission had not issued a final or interlocutory order in Case No. IPC-E-05-22. Idaho Power denies the balance of the allegations in Paragraph 7.

9. The statements contained in Paragraph 8 constitute legal conclusions, not an allegation of fact that can be admitted or denied. As such, Idaho Power denies the same.

10. Idaho Power admits that it currently has Energy Sales Agreements with Glenns Ferry Cogeneration Partners Ltd. and Rupert Cogeneration Partners Ltd. Being without sufficient information and knowledge to verify the truth or falsity of the balance of the allegations contained in Paragraph 9, Idaho Power denies them.

11. Idaho Power denies the allegations contained in Paragraphs 10, 11 and 12.

12. Idaho Power admits it received a letter from Tierra dated October 4, 2005. The letter speaks for itself. Idaho Power denies it sent a letter to Tierra dated October 5, 2005. Idaho Power admits it sent Tierra a letter dated October 6, 2005. The letter speaks for itself. Idaho Power denies the balance of the allegations contained in Paragraph 13.

Affirmative Defense

On August 4, 2005, the Commission issued Order No. 29839 (the "Order") in response to the Petition identified in Paragraph 7 above. In the Order, the Commission ruled that only those wind generation projects with a nameplate rating of 100 kW or less would be eligible to receive PURPA contracts containing the published avoided cost rates. In the Order, the Commission also identified several criteria to assess the eligibility of larger wind generation projects that had commenced the development process prior to July 1, 2005 to receive PURPA contracts containing the published rates. (In a subsequent order in Case No. IPC-E-05-22, the Commission

extended the eligibility date to August 4, 2005.) On August 8, 2005, Idaho Power sent a letter to Tierra requesting project-specific information corresponding to the eligibility criteria the Commission had identified in the Order. Tierra responded that it would not provide the requested information to Idaho Power. As a result, Idaho Power has no information to determine whether or not Tierra might be entitled to the relief requested in this complaint under the criteria described in the Order. As such, discovery may render this complaint moot.

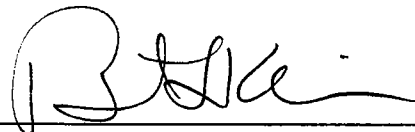
13. Service of Pleadings – Communications with reference to this case should be sent to the following:

Barton L. Kline
Monica B. Moen
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Vice President – Regulatory Affairs
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14. Requested Relief – Tierra has not stated a claim for relief which can be granted and the Complaint should be denied by the Commission.

DATED at Boise, Idaho, this 2nd day of November, 2005.



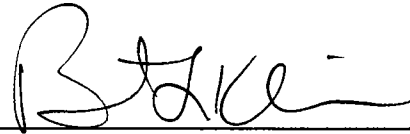
BARTON L. KLINE
MONICA B. MOEN
Attorneys for Idaho Power Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of November, 2005, I served a true and correct copy of the within and foregoing ANSWER upon the following named parties by the method indicated below, and addressed to the following:

Bruce M. Smith
Moore, Smith, Buxton & Turcke
225 North 9th Street, Suite 420
Boise, Idaho 83702

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX



BARTON L. KLINE