

## **DECISION MEMORANDUM**

**TO:** COMMISSIONER KEMPTON  
COMMISSIONER SMITH  
COMMISSIONER REDFORD  
COMMISSION SECRETARY  
COMMISSION STAFF  
KRISTINE SASSER

**FROM:** DON HOWELL  
DEPUTY ATTORNEY GENERAL

**DATE:** MARCH 18, 2011

**SUBJECT:** ALPHA/BRAVO/CHARLIE/DELTA/ECHO WIND'S PETITION TO INTERVENE IN THEIR RESPECTIVE FIRM ENERGY SALES AGREEMENTS, CASE NOS. IPC-E-10-51/52/53/54/55

On March 17, 2011, Alpha Wind, Bravo Wind, Charlie Wind, Delta Wind, and Echo Wind each filed a Petition to Intervene in their respective Firm Energy Sales Agreements cases referenced above. Each wind company is a party to the respective Sales Agreement with Idaho Power Company.

### **BACKGROUND**

On February 24, 2011, the Commission issued a combined Notice of Applications and Notice of Modified Procedure in the five cases. Because the Commission determined that the cases should be processed under Modified Procedure, there was not a provision in the consolidated Notice that addressed the filing of Petitions to Intervene. In Order No. 32188, the Commission solicited public comments on the Firm Energy Sales Agreements. Public comments were to be filed no later than March 17, 2011, with reply comments (if any) due no later than March 24, 2011.

As a counterparty to the Firm Energy Sales Agreements, each wind company has a direct and substantial interest in their own Agreement. Their Petitions indicate that they intend to participate in each of these cases as a party. "Without the opportunity to intervene herein, this intervenor would without adequate means of participation in this proceeding which may have a material impact on its ability to exercise its rights under PURPA to contract with an electric

utility, and to sell output of its qualifying facility.” Petition at 2. The wind companies did file timely comments in the cases.

### COMMISSION DECISION

Does the Commission wish to grant intervention to Alpha/Bravo/Charlie/Delta/Echo Wind in their respective cases?



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Don Howell  
Deputy Attorney General

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