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IDAHO PUBLIC  
UTILITIES COMMISSION

**DONOVAN E. WALKER**  
Lead Counsel  
[dwalker@idahopower.com](mailto:dwalker@idahopower.com)

September 8, 2015

**VIA HAND DELIVERY**

Jean D. Jewell, Secretary  
Idaho Public Utilities Commission  
472 West Washington Street  
Boise, Idaho 83702

Re: Case No. IPC-E-11-23  
Petition for Declaratory Order Regarding PURPA Jurisdiction – Idaho  
Power Company's Motion to Dismiss without Prejudice

Dear Ms. Jewell:

Enclosed for filing please find an original and seven (7) copies of Idaho Power  
Company's Motion to Dismiss without Prejudice in the above matter.

Very truly yours,



Donovan E. Walker

DEW:csb  
Enclosures

DONOVAN E. WALKER (ISB No. 5921)  
Idaho Power Company  
1221 West Idaho Street (83702)  
P.O. Box 70  
Boise, Idaho 83707  
Telephone: (208) 388-5317  
Facsimile: (208) 388-6936  
[dwalker@idahopower.com](mailto:dwalker@idahopower.com)

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Attorney for Idaho Power Company

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE PETITION OF )  
IDAHO POWER COMPANY FOR A ) CASE NO. IPC-E-11-23  
DECLARATORY ORDER REGARDING )  
PURPA JURISDICTION. ) IDAHO POWER COMPANY'S  
) MOTION TO DISMISS WITHOUT  
) PREJUDICE  
)  
\_\_\_\_\_ )

Pursuant to Rules 56 and 68, Idaho Power Company ("Idaho Power") respectfully requests that this matter be dismissed without prejudice. On January 9, 2014, the Public Utility Commission of Oregon ("OPUC") directed Idaho Power to enter into a standard power purchase agreement to purchase the electrical output of the Qualifying Facility ("QF") of Kootenai Electric Cooperative, Inc. ("Kootenai"), the same QF which is the subject of this matter before the Idaho Public Utilities Commission. OPUC Docket No. UM 1572, Order No. 14-013. On January 27, 2014, the OPUC clarified that it directed Kootenai receive a Schedule 85 power purchase agreement with the rates that

were in effect on the date that the Complaint was filed, January 2, 2012. Order No. 14-027. On March 5, 2014, Idaho Power entered into a standard Schedule 85 Public Utility Regulatory Policies Act of 1978 Energy Sales Agreement with Kootenai, as directed by the OPUC. Consequently, Idaho Power hereby respectfully asks that the Idaho Public Utilities Commission dismiss Idaho Power's Petition without prejudice.

Respectfully submitted this 8<sup>th</sup> day of September 2015.



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DONOVAN E. WALKER  
Attorney for Idaho Power Company

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8<sup>th</sup> day of September 2015 I served a true and correct copy of IDAHO POWER COMPANY'S MOTION TO DISMISS WITHOUT PREJUDICE upon the following named parties by the method indicated below, and addressed to the following:

**Commission Staff**

Donald L. Howell, II  
Deputy Attorney General  
Idaho Public Utilities Commission  
472 West Washington (83702)  
P.O. Box 83720  
Boise, Idaho 83720-0074

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [don.howell@puc.idaho.gov](mailto:don.howell@puc.idaho.gov)

**Kootenai Electric Cooperative, Inc.**

Peter J. Richardson  
Gregory M. Adams  
RICHARDSON ADAMS, PLLC  
515 North 27<sup>th</sup> Street (83702)  
P.O. Box 7218  
Boise, Idaho 83707

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [peter@richardsonadams.com](mailto:peter@richardsonadams.com)  
[greg@richardsonadams.com](mailto:greg@richardsonadams.com)

Doug Elliott, General Manager  
Kootenai Electric Cooperative, Inc.  
P.O. Box 278  
Hayden, Idaho 83835-0278

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [delliott@kec.com](mailto:delliott@kec.com)

  
\_\_\_\_\_  
Christa Beary, Legal Assistant