

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION</b>	)	
<b>OF IDAHO POWER COMPANY FOR</b>	)	<b>CASE NO. IPC-E-13-04</b>
<b>APPROVAL OF ITS AGREEMENT WITH</b>	)	
<b>ENERNOC TO IMPLEMENT AND</b>	)	<b>NOTICE OF PETITION</b>
<b>OPERATE A VOLUNTARY COMMERCIAL</b>	)	
<b>DEMAND RESPONSE PROGRAM</b>	)	<b>NOTICE OF</b>
	)	<b>MODIFIED PROCEDURE</b>
	)	
	)	<b>ORDER NO. 32762</b>

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YOU ARE HEREBY NOTIFIED that on March 7, 2013, Idaho Power Company filed a Petition requesting Commission approval of Amendment No. 2 to the February 23, 2009 Demand Response Agreement between Idaho Power and EnerNoc, Inc. The Agreement sets forth terms by which Idaho Power provides a demand response program for its commercial and industrial customers known as the FlexPeak Management Program. FlexPeak is a voluntary demand response program targeting industrial and large commercial customers that are capable of reducing their electrical energy loads for short periods during summer peak load days. EnerNoc is responsible for developing and implementing all marketing plans, securing participants, installing and maintaining equipment, tracking participation and reporting results to Idaho Power. The Commission approved the EnerNoc Agreement in Order No. 30805 issued May 15, 2009, and later approved an amendment to clarify terms of the Agreement in Order No. 31098.

YOU ARE FURTHER NOTIFIED that Idaho Power and EnerNoc have identified amendments to the contract to cap the weekly nominated demand reduction at 35 MW, reduce the amount of dispatch hours available from 60 to 30 and event days from 20 to 10, and reduce the amount Idaho Power pays to EnerNoc per kilowatt. Idaho Power's Application asserts that capping the weekly MW of nominated demand reduction at the historical level of 35 MW "will ensure that current participation levels are sustainable while limiting future program costs associated with higher demand reduction levels that the Company has identified it does not need at this time." Idaho Power Petition, p. 5. The Company expects the changes to save program expenses of approximately \$500,000 in 2013. The Company's Petition requests that the Commission approve these amendments to the Idaho Power-EnerNoc Agreement.

NOTICE OF PETITION  
 NOTICE OF MODIFIED PROCEDURE  
 ORDER NO. 32762

YOU ARE FURTHER NOTIFIED that Idaho Power's Application is consistent with other recent proposals to curtail separate demand response programs made because the Company's load resource balance identified in its 2013 Integrated Resource Plan indicates no near-term peak hour capacity deficits until July 2016. On December 21, 2012, Idaho Power submitted an application in Case No. IPC-E-12-29 requesting authority to temporarily suspend the A/C Cool Credit and Irrigation Peak Rewards programs. A settlement workshop was held on February 6, 2013, with all parties agreeing that a temporary suspension of the A/C Cool Credit and Irrigation Peak Rewards programs for 2013 program seasons is appropriate. The parties also agreed to conduct workshops to discuss further changes to the Company's demand response programs in 2014 and beyond. The FlexPeak program was not addressed in that case because the Company is under contract with EnerNoc and does not have the unilateral ability to suspend payment to EnerNoc prior to expiration of the Agreement in February 2014.

#### **NOTICE OF MODIFIED PROCEDURE**

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201-204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or in opposition with the Commission within twenty-one (21) days from the service date of this Notice. The comment must contain a statement of reasons supporting the comment.

YOU ARE FURTHER NOTIFIED that persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application may be mailed to the Commission and Idaho Power 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 Street  
Boise, ID 83702-5918

Lisa D. Nordstrom  
Regulatory Dockets  
Idaho Power Company  
PO Box 70  
Boise, ID 83707-0070  
Email: [lnordstrom@idahopower.com](mailto:lnordstrom@idahopower.com)  
[dockets@idahopower.com](mailto:dockets@idahopower.com)

Tami White  
Idaho Power Company  
PO Box 70  
Boise, ID 83707-0070  
E-mail: [twhite@idahopower.com](mailto:twhite@idahopower.com)

These 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.idaho.gov](http://www.puc.idaho.gov). Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to Idaho Power at the e-mail addresses listed above.

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 and supporting workpapers have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. The Application is also available on the Commission's web site at [www.puc.idaho.gov](http://www.puc.idaho.gov) by clicking on "File Room" and then "Electric Cases."

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code and specifically *Idaho Code* § 61-501, 61-502, and 61-503. The Commission may enter any final Order consistent with its authority under Title 61.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

**ORDER**

IT IS HEREBY ORDERED that this case be processed under Modified Procedure. Interested persons and the parties may file written comments within 21 days of the service date of this Order.

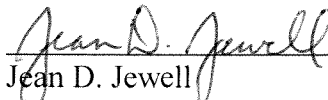
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 13<sup>th</sup> day of March 2013.

  
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PAUL K. ELLANDER, PRESIDENT

  
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MACK A. REDFORD, COMMISSIONER

  
\_\_\_\_\_  
MARSHA H. SMITH, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Jean D. Jewell  
Commission Secretary

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