

**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-13-24</b>  |
| <b>COMMISSION ACCEPTANCE OR</b>         | ) |                              |
| <b>REJECTION OF AN ENERGY SALES</b>     | ) | <b>NOTICE OF APPLICATION</b> |
| <b>AGREEMENT WITH BANNOCK COUNTY,</b>   | ) |                              |
| <b>IDAHO</b>                            | ) | <b>NOTICE OF</b>             |
|   | ) | <b>MODIFIED PROCEDURE</b>    |
|   | ) |                              |
|   | ) | <b>ORDER NO. 32963</b>       |

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YOU ARE HEREBY NOTIFIED that on December 5, 2013, Idaho Power Company filed an Application requesting Commission acceptance or rejection of an Energy Sales Agreement between the Company and Bannock County, Idaho. Under the Agreement, Bannock County would sell electric energy generated by the Bannock County Solid Waste Department Landfill Gas to Energy Project to the Company.

YOU ARE FURTHER NOTIFIED that Bannock County proposes to operate a 3.2 megawatt (MW) landfill gas to energy plant located near Pocatello, Idaho. The County plans to initially install a 1.6 MW generation unit and may install another 1.6 MW generation unit within 60 months of the operation date of the Agreement. The generating facility will be a qualifying facility under the applicable provisions of the Public Utility Regulatory Policies Act of 1978 (PURPA). The Agreement provides for a 20-year term using non-levelized "other" published avoided cost rates currently established by the Commission in Order No. 32817 for energy deliveries of less than 10 aMW. The Agreement was signed by Bannock County on November 5, 2013, and was subsequently signed by Idaho Power on November 13, 2013. The scheduled operation date for the project is May 1, 2014.

YOU ARE FURTHER NOTIFIED that on January 3, 2014, Idaho Power filed three replacement pages for the Agreement, along with a letter signed by the Bannock County Commissioners approving the replacement pages. The new pages replace Appendix E to the Agreement containing the non-levelized energy prices initially stated in the Agreement.

YOU ARE FURTHER NOTIFIED that the nameplate rating of this facility is 3.2 MW. Bannock County will be required to provide data on the facility that Idaho Power will use

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to confirm that under normal conditions, the facility will not exceed 10 aMW on a monthly basis. Should the facility exceed 10 aMW on a monthly basis, Idaho Power will accept the energy (Inadvertent Energy) that does not exceed the maximum capacity amount but will not purchase or pay for this Inadvertent Energy.

**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

Donovan E. Walker, Lead Counsel  
Julia A. Hilton, Corporate Counsel  
Idaho Power Company  
PO Box 70  
Boise, ID 83707-0070  
Email: [dwalker@idahopower.com](mailto:dwalker@idahopower.com)  
[jhilton@idahopower.com](mailto:jhilton@idahopower.com)

Randy C. Allphin  
Energy Contract Administrator  
Idaho Power Company  
PO Box 70  
Boise, ID 83707-0070  
E-mail: [rallphin@idahopower.com](mailto:rallphin@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 "Case Comment Form" under the "Consumers" tab, 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). Click on the "File Room" tab at the top of the page, scroll down to "Open Electric Cases," and then click on the case number as shown on the front of this document.

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.*

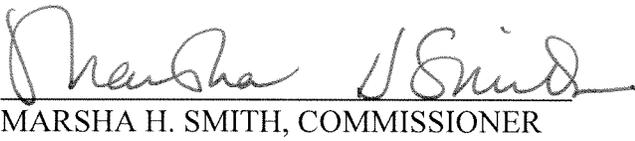
### **ORDER**

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 15<sup>th</sup>  
day of January 2014.

  
PAUL KJELLANDER, PRESIDENT

  
MACK A. REDFORD, COMMISSIONER

  
MARSHA H. SMITH, COMMISSIONER

ATTEST:

  
Jean D. Jewell  
Commission Secretary

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