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IDAHO PUBLIC UTILITIES COMMISSION

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Attorneys for SE Hazelton A, L.P., Fulcrum, Inc.,  
BP Hydro Associates, Bypass Power Company, Inc.,  
and Notch Butte Hydro Company, Inc.

BEFORE THE  
IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF TARIFF ADVICE NO. )	
13-05 OF IDAHO POWER COMPANY FOR )	CASE NO. IPC-E-13-25
AUTHORITY TO UPDATE SCHEDULE 86. )	
)	PETITION TO INTERVENE
)	OF SE HAZELTON A, L.P.,
)	FULCRUM, INC., BP HYDRO
)	ASSOCIATES, BYPASS POWER CO.,
)	AND NOTCH BUTTE HYDRO
)	COMPANY, INC.

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Pursuant to IDAPA 31.10.01.071-.074 and the Notice of Intervention Deadline issued by the Idaho Public Utilities Commission (“Commission”) on December 6, 2013, SE Hazelton A, L.P., Fulcrum, Inc., BP Hydro Associates, Bypass Power Company, Inc., and Notch Butte Hydro Company, Inc., hereinafter referred to as “Intervenors,” hereby petition the Commission for leave to intervene herein and to appear and participate herein as parties, and as grounds therefore states as follows:

1. The names and addresses of these Intervenor are:

SE Hazelton A, L.P.  
c/o Enel Green Power North America, Inc.  
One Tech Drive, Ste 220  
Andover, MA 01810

Fulcrum, Inc.  
c/o Enel Green Power North America, Inc.  
One Tech Drive, Ste 220  
Andover, MA 01810

BP Hydro Associates  
c/o Enel Green Power North America, Inc.  
One Tech Drive, Ste 220  
Andover, MA 01810

Bypass Power Company, Inc.  
c/o Enel Green Power North America, Inc.  
One Tech Drive, Ste 220  
Andover, MA 01810

Notch Butte Hydro Company, Inc.  
c/o Enel Green Power North America, Inc.  
One Tech Drive, Ste 220  
Andover, MA 01810

2. This Intervenor will be represented herein by:

Peter J. Richardson (ISB No. 3195)  
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[greg@richardsonadams.com](mailto:greg@richardsonadams.com)

3. Copies of all pleadings, production requests, production responses, Commission orders and other documents should be provided to Gregory M. Adams as noted above and to:

Megan Beauregard  
Associate General Counsel  
Enel Green Power North America, Inc.  
One Tech Drive, Suite 220  
Andover, MA 01810  
[Megan.Beauregard@enel.com](mailto:Megan.Beauregard@enel.com)

4. These Intervenors are qualified to conduct business in the State of Idaho under applicable provisions of Idaho law. Each Intervenor currently operates a small power production qualifying facility (“QF”) in Idaho selling its output to Idaho Power Company. Each Intervenor has a PURPA contract providing for Idaho Power to purchase the output of that plant. Specifically, SE Hazelton A LP owns Hazelton A project; Fulcrum, Inc., owns the Barber Dam Project; BP Hydro Associates is a general partnership that owns Dietrich Drop, Lowline Rapids and Rock Creek Projects; Bypass Power Company, Inc. owns the Bypass project; and Notch Butte Hydro Company, Inc. owns Notch Butte (also called GeoBon II).

5. One Intervenor, SE Hazelton A, LP, owns and operates the Hazelton A project and sells the output under a Firm Energy Sales Agreement (“FESA”) executed in 2010, which contains the Commission-approved 90%/110% performance band provision. *See generally* Order No. 29632 at 20. That FESA provides for payment at a specified market index rate for “Surplus Energy” deliveries that fall outside of the performance band. This Intervenor’s interest could be impacted by this proceeding to the extent that any party attempts to utilize this proceeding to address payments made under that FESA or a replacement market index to be utilized in that FESA.

6. The remaining Intervenors, Fulcrum, Inc., BP Hydro Associates, Bypass Power Company, Inc., and Notch Butte Hydro Company, Inc., each operate a hydro-electric project with a FESA that does not include the Commission-approved 90%/110% performance band provision. However, these Intervenors’ existing FESAs will expire by their terms in the future, and they each intend to execute a replacement FESA under PURPA with Idaho Power Company, or otherwise utilize PURPA to sell their output to Idaho Power Company. The outcome of this proceeding could affect the rates paid to these Intervenors under future FESAs or tariffs.

7. Therefore, each of the Intervenors claims a direct and substantial interest in this proceeding because they are QFs that may be impacted by the outcome of this proceeding.

8. This Intervenor intends to participate herein as a party, and if necessary, to introduce evidence, cross-examine witnesses, call and examine witnesses, and be heard in argument. The nature and quality of evidence which this Intervenor will introduce is dependent upon the nature and effect of other evidence in this proceeding.

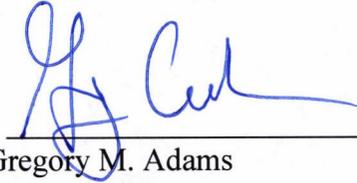
9. Without the opportunity to intervene herein, this Intervenor would be without any means of participation in this proceeding which may have a material impact on its ability to enter into PURPA contracts in the State of Idaho.

10. Granting this Intervenor's petition to intervene will not unduly broaden the issues nor will it prejudice any party to this case.

**WHEREFORE**, SE Hazelton A, L.P., Fulcrum, Inc., BP Hydro Associates, Bypass Power Company, Inc., and Notch Butte Hydro Company, Inc., respectfully request that this Commission grant this Petition to Intervene in these proceedings and to appear and participate in all matters as may be necessary and appropriate; and to present evidence, call and examine witnesses, present argument and to otherwise fully participate in these proceedings.

DATED this 19th day of December, 2013.

RICHARDSON ADAMS, PLLC

By  \_\_\_\_\_  
Gregory M. Adams

Of Attorneys for SE Hazelton A, L.P.,  
Fulcrum, Inc., BP Hydro Associates, Bypass  
Power Co., and Notch Butte Hydro  
Company, Inc.

**CERTIFICATE OF SERVICE**

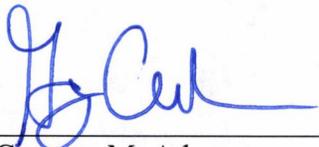
I HEREBY CERTIFY that on the 19th day of December, 2013, a true and correct copy of the within and foregoing PETITION TO INTERVENE in Docket No. IPC-E-13-25 was served in the manner shown to:

Donovan Walker  
Idaho Power Company  
P.O. Box 70  
Boise, ID 83707  
[dwalker@idahopower.com](mailto:dwalker@idahopower.com)

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 Facsimile  
 Electronic Mail

  
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Gregory M. Adams