

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION)
OF IDAHO POWER COMPANY FOR) CASE NO. IPC-E-14-22
CONFIRMATION OF THE CAPACITY)
DEFICIENCY PERIOD FOR)
INCREMENTAL COST, INTEGRATED) ORDER NO. 33147
RESOURCE PLAN, AVOIDED COST)
METHODOLOGY.)**

Idaho Power filed an Application with the Commission on August 13, 2014, requesting that the Commission issue an order confirming the use of a July 2021 capacity deficiency period in the approved incremental cost, integrated resource plan, avoided cost methodology (IRP methodology) applicable to negotiated avoided cost rates for proposed PURPA qualifying facilities (QFs). On September 5, 2014, the Commission issued a Notice of Application and Notice of Modified Procedure setting a comment deadline of September 30, 2014, and a reply deadline of October 7, 2014. Order No. 33116.

MOTION TO EXTEND COMMENT PERIOD

On September 15, 2014, ten days after the Commission issued its Notice, Idaho Conservation League (ICL) filed a Petition for Intervention. On September 19, 2014, ICL filed a set of discovery requests with Idaho Power. On September 29, 2014, pursuant to Rule 256 of the Commission’s Rules of Procedure, ICL filed a Motion to Extend the Comment Period with the Commission. ICL requests, based on what it characterizes as the unique and complex issues in this case, an additional 60 days to file comments.

ICL maintains that this case “raises significant and complex technical issues” and that extending the deadline “will enable ICL, other parties, and the public to understand these complexities and provide the Commission with a robust picture of the facts and implications of this docket.” Motion at 2. ICL argues that Idaho Power’s Application is deficient of any information upon which a finding of fact can be based and extending the comment period will allow adequate time to develop a sufficient record. ICL asserts that extending the comment deadline will not unfairly delay the proceeding or prejudice any party. ICL further states that this case will not directly impact customers and extending the comment deadline will benefit all

parties, the Commission and the public by allowing time to develop the factual record upon which a decision will be based. *Id.* at 4.

IDAHO POWER'S RESPONSE AND OBJECTION

Idaho Power argues that ICL's Motion is without merit, misrepresents the proceedings and requests an unreasonable delay. Idaho Power Response at 2. Idaho Power maintains that a reasonable schedule was established for this case, but ICL has not proceeded in a timely manner. Further, Idaho Power states that, although ICL uses lack of response to its discovery requests as a basis for an extension of time, the Company was not asked to expedite its responses.

Idaho Power asserts that this case is neither complex, nor technical. "This case directly and simply involves the correct application of the Commission's resource sufficiency determination for the Company. . . . The determination sought in this case is not a fact based challenge to the avoided cost methodology." *Id.* at 4. Contrary to ICL's assertions, Idaho Power states that a delay in this case could result in a "substantial and significant impact to avoided cost rates that are directly passed through to all Idaho Power customers." *Id.* at 5.

Idaho Power argues that, even if the Commission finds it reasonable to grant additional time, 60 days is an unreasonable request. The Company maintains that further delay creates uncertainty and complicates an otherwise straightforward determination. Idaho Power requests that the Commission deny ICL's Motion. However, in the alternative, Idaho Power offers to expedite ICL's discovery requests and file responses no later than tomorrow, October 1, 2014. Idaho Power proposes that the comment deadline be extended until Monday, October 6, 2014. The Company's reply – originally set to be filed no later than October 7 – would be extended until Friday, October 10, 2014.

FINDINGS AND CONCLUSIONS

The Idaho Public Utilities Commission has jurisdiction over Idaho Power, an electric utility, and the issues raised in this matter pursuant to the authority and power granted it under Title 61 of the Idaho Code, the Public Utility Regulatory Policies Act of 1978 (PURPA), and the Commission's Rules of Procedure. Specifically, the Commission may consider and decide motions pursuant to Rule 256. IDAPA 31.01.01.256.

Following Idaho Power's submission of its Response and Objection, ICL notified the Commission and the parties that it was willing to accept Idaho Power's alternative, modified schedule.

We find that an extension of 60 days would create unreasonable delay without adequate justification. We note that the Commission frequently utilizes a 21-day comment period for cases processed through Modified Procedure. If interested parties are diligently managing their schedules, this timeframe generally allows for a round of discovery requests and responses. However, because of the date that its discovery requests were filed, ICL has not yet received responses from the Company. In order to ensure ICL's ability to effectively participate in this proceeding, and based on Idaho Power's proposal to provide responses and several days to prepare comments, we find it reasonable to amend the procedural schedule as follows:

Idaho Power response to ICL discovery request	October 1, 2014
Comment deadline	October 6, 2014
Company Reply deadline	October 10, 2014

ORDER

IT IS HEREBY ORDERED that the procedural schedule for IPC-E-14-22 be amended as set out in the body of this Order.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 30th
day of September 2014.



PAUL KJELLANDER, PRESIDENT



MACK A. REDFORD, COMMISSIONER

Out of the Office on this Date

MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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