

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF IDAHO POWER</b>	)	
<b>COMPANY'S APPLICATION TO APPROVE</b>	)	<b>CASE NO. IPC-E-15-12</b>
<b>FIRST AMENDMENT TO ITS UNIFORM</b>	)	
<b>AGREEMENT WITH FISHERIES</b>	)	<b>ORDER NO. 33275</b>
<b>DEVELOPMENT CO.</b>	)	

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On April 2, 2015, Idaho Power Company filed an Application asking the Commission to approve the First Amendment to its "Uniform Agreement for the Purchase of Non-Firm Energy from Cogeneration and Small Power Production Projects" with Fisheries Development Co. Under the Agreement, Idaho Power purchases, and Fisheries sells, non-firm energy generated by a small hydroelectric facility near Hagerman, Idaho. Application at 2. The parties' proposed Amendment "reflect[s] a new Point of Delivery, which was necessitated by the installation of updated metering and disconnection equipment." *Id.* at 1.

**BACKGROUND**

The Fisheries hydroelectric facility was built in 1989, and put into service under its 1990 Agreement with Idaho Power pursuant to the Public Utility Regulatory Policies Act (PURPA). *Id.* at 1-2. The facility's equipment was originally located "in the basement of the penstock house at the facility." *Id.* According to Idaho Power, this structure has flooded on three occasions through the years, "leaving the breaker and electrical interconnection package" under about six feet of water. *Id.* Also, "as a usual part of the facility's operation," water sprays "from the penstock coupling," also reaching the electrical panels. *Id.* The breaker has often failed, causing generation outages that require Idaho Power technicians to conduct on-site repairs, which due to the wet environment, presents serious safety concerns. *Id.*

**PROPOSED AMENDMENT**

To address these problems and safety concerns, the parties agreed "to update the metering and disconnection equipment and facilities and [re]locate them to a safer location." *Id.* These changes, including a new Point of Delivery about "100 feet outside of the powerhouse," are contained in the proposed Amendment. *Id.* The Amendment also contains "the loss calculation for the new Point of Delivery." *Id.* at 3.

Idaho Power asked that the Amendment be approved upon Staff's review, without further process.

### **STAFF RECOMMENDATION**

Upon its review of the Application, Commission Staff recommended that the proposed Amendment be approved without further process.

### **DISCUSSION AND FINDINGS**

The Idaho Public Utilities Commission has jurisdiction over Idaho Power and the issues raised in this matter pursuant to the authority and power granted it under Title 61 of the Idaho Code and the Public Utility Regulatory Policies Act of 1978 (PURPA). The Commission has authority under PURPA and the implementing regulations of the Federal Energy Regulatory Commission (FERC) to review and approve QF contracts.


Given the limited scope of the Amendment, the agreement of the parties, and the improved safety provided by the changes, we find the proposed Amendment between Idaho Power and Fisheries to be fair and reasonable. We also find it reasonable to approve the Amendment without further process.


### **ORDER**

IT IS HEREBY ORDERED that Idaho Power's Application to approve the First Amendment to its Uniform Agreement with Fisheries Development Co. is granted.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.

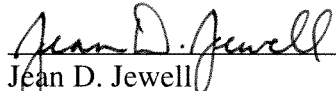
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 14<sup>th</sup>  
day of April 2015.

  
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PAUL KJELLANDER, PRESIDENT

  
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MACK A. REDFORD, COMMISSIONER

  
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KRISTINE RAPER, COMMISSIONER

ATTEST:

  
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Jean D. Jewell  
Commission Secretary

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