

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF

FROM: DAPHNE HUANG
DEPUTY ATTORNEY GENERAL

DATE: JUNE 8, 2017

SUBJECT: IDAHO POWER'S APPLICATION TO APPROVE AMENDMENTS TO ITS ENERGY SALES AGREEMENT FOR THE MT. HOME SOLAR 1, LLC PROJECT, CASE NO. IPC-E-17-09

On June 6, 2017, Idaho Power Company filed an Application asking the Commission to approve the Second and Third Amendments to its Energy Sales Agreement with Mt. Home Solar 1, LLC. The Agreement is a contract under the Public Utility Regulatory Policies Act (PURPA). The Amendments correct a typographical error and update information in Appendix B to the Agreement. Idaho Power asks that the Commission approve its Application upon Staff's review and without further process. Application at 4.

BACKGROUND

The Commission approved Idaho Power's Agreement with Mt. Home Solar in 2015. Order No. 33206. Under the Agreement, Idaho Power purchases, and Mt. Home Solar sells, energy generated by Mt. Home's solar generation facility (Facility) near Mountain Home, Idaho. Application at 2. The Facility is a qualifying facility (QF) under PURPA. *Id.* at 1. In 2015, the Commission approved a first amendment to the Agreement to change the contracting party and project name from "Mountain Home Solar, LLC" to Mt. Home Solar 1, LLC." Order No. 33434.

PROPOSED AMENDMENTS

In the Second Amendment, Idaho Power and Mt. Home propose to correct Article 7.5 of the Amendment which omitted the word "Percentage" from the second sentence. Application at 2-3. The corrected sentence reads, "All pricing contained within Appendix E for the current applicable month(s) will be multiplied by the Pricing Adjustment Percentage and the resulting revised prices will replace the prices contained within Appendix E. . . ." *Id.* at 3 (correction underlined).

The Third Amendment makes changes to the Agreement's Appendix B to update descriptions of the Facility's physical characteristics to be more general to ensure it matches the equipment studied and accepted in the Generator Interconnection Agreement between the contracting parties. *Id.* at 2-3.

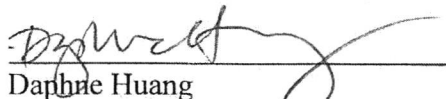
Idaho Power states that the proposed Amendments "have no material effect to the terms and provisions of the [Agreement] and do not alter the performance requirements or pricing contained in the [Agreement]." *Id.* at 3-4. The Company also indicated, "The changes are only needed to properly administer and enforce the [Agreement]." *Id.* at 4.

STAFF RECOMMENDATION

Given the limited scope of the Amendments, Idaho Power requested that the Amendments be approved without further process. Staff has reviewed the Application and attachments and concurs with the Company as to the limited scope and impact of the proposed agreed Amendments. Accordingly, Staff recommends that the request be approved without further process.

COMMISSION DECISION

Does the Commission wish to approve the Application without further process?


Daphne Huang
Deputy Attorney General

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