

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF IDAHO POWER TO APPROVE OR)	CASE NO. IPC-E-17-14
REJECT ITS ENERGY SALES)	
AGREEMENT WITH SHOROCK HYDRO,)	NOTICE OF AMENDED
INC., FOR THE SALE AND PURCHASE OF)	PROCEDURAL SCHEDULE
ELECTRIC ENERGY FROM THE ROCK)	
CREEK 1 HYDRO PROJECT)	ORDER NO. 33918

On September 28, 2017, Idaho Power Company applied to the Commission to approve or reject its Energy Sales Agreement (“Agreement”) with Shorock Hydro, Inc. (“Shorock”). Idaho Power stated that Shorock opposed two provisions in the Agreement, but Idaho Power and Shorock agreed they would argue their positions in comments and accept the Commission’s decision on those issues. The Commission issued a Notice of Application and Notice of Modified Procedure with comment deadlines to accommodate Idaho Power’s and Shorock’s proposed process. Order No. 33912.

On October 16, 2017, Idaho Power and Shorock filed a stipulated motion to separate the disputed issues from their request to approve the Agreement, and to set new comment deadlines. We grant the stipulated motion as follows.

BACKGROUND

The Agreement between Idaho Power and Shorock falls under the Public Utility Regulatory Policies Act of 1978 (PURPA), and is a replacement contract for the sale of electric energy to Idaho Power from Shorock’s Rock Creek 1 Hydro project (“Facility”) near Twin Falls, Idaho. Shorock objects to the Company’s inclusion in the Agreement of: (1) a “90%/110%” provision (relating to surplus energy); and (2) a provision relating to Operation and Maintenance (O&M) charges in the Generator Interconnection Agreement. Application at 2. Idaho Power requested a final Commission decision before January 15, 2018, when the existing contract expires. *Id.* at 6.

STIPULATED MOTION

Idaho Power and Shorock state they were informed that third parties intended to intervene in this case, “conduct potentially extensive discovery and request a technical hearing regarding the 90%/110% and O&M issues.” Motion at 2. Idaho Power and Shorock were

concerned this would delay the processing of their Application, “potentially causing the existing contract to lapse, [and] endangering the designation of the Rock Creek 1 Hydro Facility as a network resource on Idaho Power’s system.” *Id.*

Accordingly, Idaho Power and Shorock agreed to separate the Commission’s approval of their Agreement from its determination of the 90%/110% and O&M issues. *Id.* at 2-3. Idaho Power and Shorock stipulated that the Agreement would “remain subject to the outcome of a Commission ruling” on the disputed issues in the future. *Id.* They further agreed that Shorock, possibly in conjunction with other interested parties, would file a separate Application or Complaint challenging Idaho Power’s inclusion of 90%/110% and O&M provisions in its energy sales agreements. *Id.*

Idaho Power and Shorock therefore asked the Commission to vacate the procedural schedule in Order No. 33912, and set a 21-day comment period under modified procedure. Staff did not object to the stipulated motion, and agreed to a 21-day comment period. Staff also recommended setting a deadline of 14 days after the comment deadline for the Company to reply.

COMMISSION DECISION

We find the stipulated proposal separating the disputed issues from the Application to be reasonable and appropriate. We therefore vacate the deadlines set forth in Order No. 33912, as requested by Idaho Power and Shorock, and as agreed by Staff. We will consider the Application and energy sales agreement based on the contract terms as submitted, including the 90%/110% and O&M provisions. Any interested person must file written comments in support of or opposition to the Application **within 21 days of the service date of this Order**. If the Company wishes to file a reply, it shall have until **14 days from the comment deadline**.

ORDER

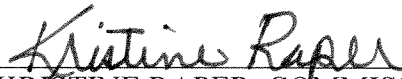
IT IS HEREBY ORDERED that the comment deadlines set forth in Order No. 33912 are vacated. Interested persons must file written comments within 21 days of the service date of this Order. The Company shall have until 14 days from the comment deadline to file a reply, if any.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this
day of October 2017.

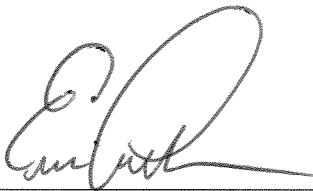
25th



PAUL KJELLANDER, PRESIDENT



KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

I:\Legal\LORDERS\IPCE1714_djh2.doc