

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	CASE NO. IPC-E-18-01
OF IDAHO POWER COMPANY FOR)	
APPROVAL OR REJECTION OF AN)	NOTICE OF APPLICATION
ENERGY SALES AGREEMENT WITH)	
DOUG AND NANCY HULL FOR THE SALE)	NOTICE OF
AND PURCHASE OF ELECTRIC ENERGY)	MODIFIED PROCEDURE
FROM THE CURRY CATTLE COMPANY)	
HYDRO PROJECT)	ORDER NO. 33977
)	

On January 10, 2018, Idaho Power Company applied to the Commission for an Order approving or rejecting its Energy Sales Agreement (ESA) with Doug and Nancy Hull (Hull). The Commission now issues this Notice of Application and Notice of Modified Procedure setting comment and reply deadlines.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that under the proposed ESA, Hull would sell and Idaho Power would purchase electric energy generated by the Curry Cattle Company hydro project located near Twin Falls, Idaho. Application at 1. The Curry Cattle Company hydro project is a 250 kilowatt (kW) “qualifying facility” (QF) under the Public Utility Regulatory Policies Act (PURPA). *Id.* at 4.

YOU ARE FURTHER NOTIFIED that the parties have an existing ESA for the facility that expires on June 16, 2018; the proposed ESA is a replacement contract with a new term and updated published avoided cost rates. *Id.* at 2.

YOU ARE FURTHER NOTIFIED that Hull elected for the ESA to have a 15-year term with non-levelized rates for non-seasonal hydro projects smaller than 10 average megawatts. *Id.* at 4. The ESA uses the rates established by the Commission in Order No. 33773 dated June 1, 2017. *Id.* Because the ESA is a replacement contract, its rates contain capacity payments for the entire term. *Id.* at 3. The ESA also provides that all applicable interconnection charges and monthly operational or maintenance charges under Schedule 72 will be assessed to Hull. *Id.* at 5.

YOU ARE FURTHER NOTIFIED that the existing ESA will expire on June 16, 2018. Idaho Power requests a procedural schedule allowing for a final Commission determination prior to that date, and requests the matter be processed by Modified Procedure. *Id.* at 5-6.

YOU ARE FURTHER NOTIFIED that Idaho Power requests that the Commission issue an Order accepting or rejecting the ESA and, if accepted, declaring that all payments for purchases of energy under the ESA be allowed as prudently incurred expenses for ratemaking purposes. Application at 6.

YOU ARE FURTHER NOTIFIED that the Application and supporting documentation have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. These documents are also available on the Commission's web site at www.puc.idaho.gov. Click on the "File Room" tab at the top of the page, then select "Electric Cases" and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code and specifically *Idaho Code* §§ 61-502 and 61-503. The Commission has authority under PURPA and the implementing regulations of the Federal Energy Regulatory Commission (FERC) to set avoided costs, to order electric utilities to enter into fixed-term obligations for the purchase of energy from qualified facilities and to implement FERC rules. The Commission may enter any final Order consistent with its authority under Title 61 and PURPA.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter, and that it will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or opposition with the Commission by no later

than **21 days from the service date of this Order**. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission and Idaho Power at the addresses reflected below:

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

Street Address for Express Mail:
472 W. Washington Street
Boise, ID 83702-5918

Energy Contracts and
Donovan E. Walker
Idaho Power Company
1221 West Idaho Street (83702)
P.O. Box 70
Boise, ID 83707-0070
E-Mail: dwalker@idahopower.com
dockets@idahopower.com
energycontracts@idahopower.com

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at www.puc.idaho.gov. Click the "Case Comment or Question Form" under the "Consumers" tab, and complete the comment form using the case number as it appears on the front of this document.

YOU ARE FURTHER NOTIFIED that the Company shall file reply comments, if necessary, by no later than **7 days from the comment deadline**.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

ORDER

IT IS HEREBY ORDERED that the Application of Idaho Power Company be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so no later than 21 days from the service date of this Order. The Company may file a reply no later than 7 days from the deadline for comments.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 30th
day of January 2018.



PAUL KJELLANDER, PRESIDENT




KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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