

MEMORANDUM

TO: FILE

**FROM: EDITH PACILLO
DEPUTY ATTORNEY GENERAL**

DATE: NOVEMBER 1, 2018

SUBJECT: THE PETITION OF IDAHYDRO, SHOROCK HYDRO, INC., J.R. SIMPLOT COMPANY, AND RENEWABLE ENERGY COALITION FOR MODIFICATION OF THE 90/110 PERFORMANCE BAND AND CALCULATION OF OPERATION AND MAINTENANCE CHARGES FOR PURPA QUALIFYING FACILITIES, CASE NO. IPC-E-18-07.

On April 16, 2018, Idahydro, Shorock Hydro, Inc., the J.R. Simplot Company, and the Renewable Energy Coalition jointly petitioned to the Commission to modify, amend, or stay existing orders or rules, and to clarify rights and obligations implementing Section 210 of the Public Utilities Regulatory Policy Act of 1978 ("PURPA"), 16 U.S.C. §824a-3 *et seq.* Specifically, Petitioners asked the Commission to revisit the 90/110 performance band for non-wind Qualifying Facilities ("QFs"). Petitioners also asked the Commission to modify how Idaho Power calculates the Operations & Maintenance ("O&M") charges that QFs pay to interconnect their facilities with Idaho Power under Schedule 72, as approved in Order No. 24025, so Idaho Power only can charge a QF for the actual O&M costs that Idaho Power incurs to interconnect with that QF's facilities.

On July 25, 2018, Idaho Power Company filed a Cross-Petition and/or Petition to Modify the 90/100 Firmness Requirement for Establishing Eligibility for Avoided Cost Rates Pursuant to Legally Enforceable Obligation.

On October 17, 2018, the Commission received a Notice of Withdrawal from Idahydro, Shorock Hydro, Inc., the J.R. Simplot Company, and the Renewable Energy Coalition requesting that Petitioners petition filed in this case on April 16, 2018, be withdrawn.

Additionally, On October 17, 2018, the Commission received a Notice of Withdrawal from Idaho Power Company requesting that its July 25, 2018, Cross-Petition and/or Petition be withdrawn.

Consequently, due to Petitioners and Idaho Power Company's voluntary withdrawal,
Case No. IPC-E-18-07 should be closed.



Edith Pacillo
Deputy Attorney General

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