

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER REDFORD  
COMMISSIONER SMITH  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** NEIL PRICE  
DEPUTY ATTORNEY GENERAL

**DATE:** NOVEMBER 8, 2013

**SUBJECT:** IN THE MATTER OF THE APPLICATION OF PACIFICORP DBA  
ROCKY MOUNTAIN POWER FOR APPROVAL OF AN ELECTRIC  
SERVICE AGREEMENT WITH MONSANTO COMPANY, CASE NO.  
PAC-E-13-14

On October 31, 2013, PacifiCorp dba Rocky Mountain Power (“Rocky Mountain”) filed an Application for an Order approving the Electric Service Agreement (“ESA”) entered into between Rocky Mountain and Monsanto Company (“Monsanto”) (collectively referred to as the “parties”). Rocky Mountain requests that its Application be processed through Modified Procedure.

PacifiCorp, an Oregon corporation, is an electrical corporation and public utility doing business as Rocky Mountain in the State of Idaho and is subject to the jurisdiction of the Commission with regard to its public utility operations. PacifiCorp also provides retail electric service in the states of Utah, Oregon, Wyoming, Washington, and California.

### APPLICATION

Rocky Mountain originally submitted the ESA for approval as part of the negotiated Stipulation approved by the Commission in Case No. PAC-E-13-04. The Commission’s Order in that case noted that the ESA had been executed and filed, but reserved approval of the substance and merits of the ESA until it was submitted in a separate docket. The proposed effective date of the parties’ ESA is January 1, 2014, the date the current electric service agreement will expire, with an initial term lasting through December 31, 2015.

Rocky Mountain included a copy of the executed ESA as “**Confidential**” Attachment I to its Application. The parties agreed to extend Monsanto’s current curtailment terms and valuation for two additional years to align the Monsanto special contract with the rate plan implemented in PAC-E-13-04. The Company and Monsanto agreed that their existing ESA should be amended to include a new Section 4.4 pertaining to how Monsanto’s Interruptible Credit Annual True-up should be calculated. In the Stipulation, Monsanto specifically waived any right to claim any true-up of Interruptible Credit for any billing periods prior to January 1, 2014, for months in which the Metered Demand was below 162 megawatts.

Section 4.1 of the new ESA was also amended to reflect the 0.77% uniform percentage increase to the energy component of rates agreed to in the Stipulation in PAC-E-13-04, and subsequently approved by the Commission.

#### **COMMISSION DECISION**

Does the Commission wish to process Rocky Mountain’s Application for approval of its ESA with Monsanto through Modified Procedure?



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Neil Price  
Deputy Attorney General

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