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IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for the J. R. Simplot Company and
Clearwater Paper Corporation

BEFORE THE
IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)
COMPANY'S PETITION TO MODIFY TERMS) CASE NO. IPC-E-15-01
AND CONDITIONS OF PURPA PURCHASE)
AGREEMENTS)

IN THE MATTER OF AVISTA CORPORATION'S)
PETITION TO MODIFY TERMS AND) CASE NO. AVU-E-15-01
CONDITIONS OF PURPA PURCHASE)
AGREEMENTS)

IN THE MATTER OF ROCKY MOUNTAIN)
POWER COMPANY'S PETITION TO MODIFY) CASE NO. PAC-E-15-03
TERMS AND CONDITIONS OF PURPA)
PURCHASE AGREEMENTS)
PETITION FOR RECONSIDERATION OF
THE J.R. SIMPLOT COMPANY AND THE
CLEARWATER PAPER CORPORATION

Pursuant to Rule of Procedure ("RP") 331 of the Idaho Public Utilities Commission
("Commission" or "IPUC"), IDAPA 31.01.01.331.01, the J. R. Simplot Company ("Simplot")

CASE NOS. IPC-E-15-01, AVU-E-15-01, PAC-E-15-03
PETITION FOR RECONSIDERATION OF THE J.R. SIMPLOT COMPANY AND THE
CLEARWATER PAPER CORPORATION
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and the Clearwater Paper Corporation (“Clearwater”) hereby respectfully request reconsideration of the Commission’s Order No. 33357 (or the “Order”). The Order modified the IPUC’s implementation of the mandatory purchase provisions of the Public Utility Regulatory Policy Act of 1978 (“PURPA”) by reducing the term of PURPA contracts containing non-standard rates from 20 years to two years for all Idaho utilities under the IPUC’s rate-setting jurisdiction. The new two-year contract term fails to provide each qualifying facility (“QF”) with the option to sell its energy and capacity at a fixed price for such energy and capacity calculated at the time the QF obligates itself to sell its output to an Idaho utility, as required by 18 C.F.R. § 292.304(d)(2)(ii) and related regulations of the Federal Energy Regulatory Commission (“FERC”). Thus, as explained below, Simplot and Clearwater respectfully request that the Commission reconsider its determinations in the Order, and replace the Order with another order or rule that lawfully implements PURPA.

I.

PROCEDURAL AND FACTUAL BACKGROUND

Under the IPUC’s implementation of PURPA, standard rates are available for wind and solar QFs with nameplate capacity of up to 100 kilowatts (“kW”) and any other QF resource type up to 10 average monthly megawatts (“MW” and “aMW”). QFs ineligible for standard rates must negotiate a rate based upon a computer modeling methodology referred to as the integrated resource plan methodology (or “IRP Methodology”).

Idaho Power Company (“Idaho Power”) commenced this proceeding with its petition requesting that the Commission reduce the contract length for PURPA contracts containing non-standard rates from 20 years to two years. Shortly thereafter, Rocky Mountain Power and Avista