

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF ROCKY MOUNTAIN) CASE NO. PAC-E-20-10
POWER’S APPLICATION FOR)
APPROVAL OR REJECTION OF A) NOTICE OF APPLICATION
POWER PURCHASE AGREEMENT)
BETWEEN PACIFICORP AND FALL) NOTICE OF
RIVER ELECTRIC COOPERATIVE, INC.) MODIFIED PROCEDURE
)
) ORDER NO. 34717

On June 9, 2020, Rocky Mountain Power (“Company”), a division of PacifiCorp, applied for an order approving or rejecting a Power Purchase Agreement (“Agreement”) with Fall River Electric Cooperative, Inc. for energy generated by the Felt Hydro Facility¹ (“Facility”), a small hydro facility in Teton County, Idaho. The Facility is a qualifying facility under the Public Utility Regulatory Policies Act of 1978 (“PURPA”). The Company requested its Application be processed under Modified Procedure.

With this Order, the Commission now establishes deadlines for interested persons or entities to comment on the Application, and for the Company to reply.

THE APPLICATION

YOU ARE HEREBY NOTIFIED that the Facility has been delivering energy to the Company in accordance with a PURPA contract dated December 4, 1984. The existing PURPA contract will expire at midnight on March 31, 2021.

YOU ARE FURTHER NOTIFIED that the Facility has a nameplate capacity of 7.45 megawatts. The Agreement contains non-seasonal hydro avoided cost rates based on the surrogate avoided resource cost methodology for a 20-year term. The Agreement also contains capacity payments for the entire term with no sufficiency period.

YOU ARE FURTHER NOTIFIED that the Company requested the Commission declare all payments for purchase of energy under the Agreement be allowed as legitimate expenses for ratemaking purposes, all of which the Commission will allow the Company to recover

¹ The Facility was previously known as CDM Hydro.

in Idaho in the event other jurisdictions the Company operates in deny recovery for their proportionate shares.

YOU ARE FURTHER NOTIFIED that the Application is 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 "ELECTRIC" tab, then select "Open 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* §§ 61-501, 61-502, and 61-503.

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 or party desiring to state a position on this Application must file a written comment in support or opposition with the Commission **by August 17, 2020**. 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 sent electronically, unless email is not available, to the Commission and the Applicant at the email addresses reflected below:

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**For the Idaho Public Utilities
Commission:**

Commission Secretary
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074
secretary@puc.idaho.gov

Street Address for Express Mail:

11331 W. Chinden Blvd.
Building 8, Suite 201-A
Boise, Idaho 83714

For Rocky Mountain Power:

Ted Weston (Suite 330)
Jacob McDermott (Suite 320)
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Salt Lake City, Utah 84116
ted.weston@pacificorp.com
jacob.mcdermott@pacificorp.com
IdahoDockets@pacificorp.com

Adam Lowney
419 SW 11th Avenue, Suite 400
Portland, OR 97205
adam@mrg-law.com

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

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **by August 24, 2020**.

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 Company's Application be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by August 17, 2020. The Company must file any reply comments by August 24, 2020.

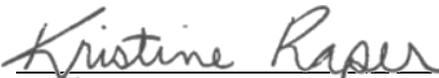
IT IS FURTHER ORDERED that parties should continue to comply with Order No. 34602, issued March 17, 2020. All pleadings should be filed with the Commission electronically and shall be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02.

Service between parties should also be accomplished electronically. Voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 2nd day of July 2020.



PAUL KJELLANDER, PRESIDENT

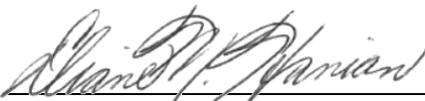


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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