

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER RAPER  
COMMISSIONER ANDERSON  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** DAYN HARDIE  
DEPUTY ATTORNEY GENERAL

**DATE:** AUGUST 14, 2020

**SUBJECT:** IN THE MATTER OF ROCKY MOUNTAIN POWER'S APPLICATION  
FOR APPROVAL OF A POWER PURCHASE AGREEMENT BETWEEN  
PACIFICORP AND FALL RIVER ELECTRIC COOPERATIVE, INC;  
CASE NO. PAC-E-20-10

On June 9, 2020, Rocky Mountain Power ("Company"), a division of PacifiCorp, applied for consideration of a Power Purchase Agreement ("Agreement") with Fall River Electric Cooperative, Inc. ("Fall River") for energy generated by the Felt Hydro Facility<sup>1</sup> ("Facility"), a small hydro facility in Teton County, Idaho. Application at 1. The Facility is a qualifying facility under the Public Utility Regulatory Policies Act of 1978 ("PURPA") and has a nameplate capacity of 7.45 megawatts. *Id.* at 2.

On July 2, 2020, the Commission issued a Notice of Application and Notice of Modified Procedure establishing an August 17, 2020 comment deadline and August 24, 2020 reply deadline.

On July 31, 2020, Staff sent its Second Production Request to the Company. Staff received responses to requests 8-11 on August 10, 2020 and requests 12-14 on August 11, 2020. Staff determined it would need additional time to sort out its position on capacity payments. Staff filed its initial comments on August 17, 2020 but would like the Commission to amend the comment deadline to allow additional time to analyze the data and finalize its position on capacity payments through supplemental comments. The Company and Fall River indicated they do not oppose amending the comment deadline.

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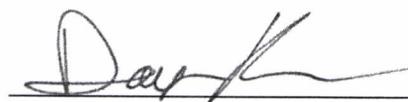
<sup>1</sup> The Facility was previously known as CDM Hydro.

### **STAFF RECOMMENDATION**

Staff recommends the Commission vacate the August 17, 2020 public comment deadline and August 24, 2020 Company reply deadline and establish new deadlines with public comments due October 1, 2020 and reply comments due October 15, 2020.

### **COMMISSION DECISION**

Does the Commission wish to vacate the August 17, 2020 public comment deadline and August 24, 2020 Company reply deadline and establish new deadlines with public comments due October 1, 2020 and reply comments due October 15, 2020?



Dayn Hardie  
Deputy Attorney General

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