



RECEIVED

2018 OCT 17 AM 11:29

IDAHO PUBLIC  
UTILITIES COMMISSION

**DONOVAN E. WALKER**  
Lead Counsel  
[dwalker@idahopower.com](mailto:dwalker@idahopower.com)

October 17, 2018

**VIA HAND DELIVERY**

Diane Hanian, Secretary  
Idaho Public Utilities Commission  
472 West Washington Street  
Boise, Idaho 83702

Re: Case No. IPC-E-18-07  
Petition for Modification of 90/110 Performance Band and Calculation of O&M Charges for PURPA QFs – **Notice of Withdrawal** of Idaho Power Company's Cross-Petition and/or Petition to Modify the 90/110 Firmness Requirement for Establishing Eligibility for Avoided Cost Rates Pursuant to a Legally Enforceable Obligation

Dear Ms. Hanian:

Enclosed for filing in the above matter are an original and seven (7) copies of the **Notice of Withdrawal** of Idaho Power Company's Cross-Petition and/or Petition to Modify the 90/110 Firmness Requirement for Establishing Eligibility for Avoided Cost Rates Pursuant to a Legally Enforceable Obligation.

Very truly yours,

Donovan E. Walker

DEW:csb  
Enclosures

DONOVAN E. WALKER (ISB No. 5921)  
Idaho Power Company  
1221 West Idaho Street (83702)  
P.O. Box 70  
Boise, Idaho 83707  
Telephone: (208) 388-5317  
Facsimile: (208) 388-6936  
dwalker@idahopower.com

RECEIVED  
2018 OCT 17 AM 11:29  
IDAHO PUBLIC  
UTILITIES COMMISSION

Attorney for Idaho Power Company

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE PETITION OF )  
IDAHYDRO, SHOROCK HYDRO, INC., ) CASE NO. IPC-E-18-07  
J.R. SIMPLOT COMPANY, AND )  
RENEWABLE ENERGY COALITION FOR ) NOTICE OF WITHDRAWAL OF  
MODIFICATION OF THE 90/110 ) IDAHO POWER COMPANY'S  
PERFORMANCE BAND AND ) CROSS-PETITION AND/OR  
CALCULATION OF OPERATION AND ) PETITION TO MODIFY THE 90/110  
MAINTENANCE CHARGES FOR PURPA ) FIRMNESS REQUIREMENT FOR  
QUALIFYING FACILITIES ) ESTABLISHING ELIGIBILITY FOR  
 ) AVOIDED COST RATES PURSUANT  
 ) TO A LEGALLY ENFORCEABLE  
 ) OBLIGATION  
 )  
\_\_\_\_\_ )

Pursuant to Idaho Public Utilities Commission ("Commission") Rule of Procedure 68, Idaho Power Company ("Idaho Power") hereby withdraws its Cross-Petition and/or Petition filed in this case on July 25, 2018.

**I. BACKGROUND**


On April 16, 2018, Idaho Hydroelectric Power Producers Trust, an Idaho Trust, d/b/a Idahydro; Shorock Hydro, Inc.; J.R. Simplot Company; and the Renewable Energy

Coalition (hereinafter collectively called "Petitioners") filed a petition initiating this proceeding. On July 25, 2018, Idaho Power filed its cross-petition and/or petition in this proceeding. No procedural schedule has been established yet in this proceeding. The Commission granted a stay of the proceedings on August 15, 2018, and extended the stay by order issued on September 11, 2018, to allow the Petitioners and Idaho Power to discuss procedural and substantive issues. As a result of those discussions, the Petitioners and Idaho Power have determined to each withdraw their respective petitions in this proceeding.

## II. NOTICE OF WITHDRAWAL

Idaho Power hereby withdraws its Cross-Petition and/or Petition filed in this case on July 25, 2018. Accordingly, this case should be closed effective 14 days after this notice of withdrawal in accordance with Rule of Procedure 68.

DATED at Boise, Idaho, this 17<sup>th</sup> day of October 2018.

  
DONOVAN E. WALKER  
Attorney for Idaho Power Company

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 17<sup>th</sup> day of October 2018 I served a true and correct copy of the within and foregoing NOTICE OF WITHDRAWAL OF IDAHO POWER COMPANY'S CROSS-PETITION AND/OR PETITION TO MODIFY THE 90/110 FIRMNESS REQUIREMENT FOR ESTABLISHING ELIGIBILITY FOR AVOIDED COST RATES PURSUANT TO A LEGALLY ENFORCEABLE OBLIGATION upon the following named parties by the method indicated below, and addressed to the following:

**Commission Staff**

Edith L. Pacillo  
Edward Jewell  
Deputy Attorneys General  
Idaho Public Utilities Commission  
472 West Washington (83702)  
P.O. Box 83720  
Boise, Idaho 83720-0074

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [edith.pacillo@puc.idaho.gov](mailto:edith.pacillo@puc.idaho.gov)  
[edward.jewell@puc.idaho.gov](mailto:edward.jewell@puc.idaho.gov)

**J.R. Simplot Company**

Peter J. Richardson  
Gregory M. Adams  
RICHARDSON ADAMS, PLLC  
515 North 27<sup>th</sup> Street (83702)  
P.O. Box 7218  
Boise, Idaho 83707

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [peter@richardsonadams.com](mailto:peter@richardsonadams.com)  
[greg@richardsonadams.com](mailto:greg@richardsonadams.com)

**Idahydro and Shorock Hydro, Inc.**

C. Tom Arkoosh  
ARKOOSH LAW OFFICES  
802 West Bannock Street, Suite 900  
P.O. Box 2900  
Boise, Idaho 83701

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [tom.arkoosh@arkoosh.com](mailto:tom.arkoosh@arkoosh.com)

**Renewable Energy Coalition**

J. Kahle Becker  
Attorney at Law  
223 North 6<sup>th</sup> Street, Suite 325  
Boise, Idaho 83702

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [kahle@kahlebeckerlaw.com](mailto:kahle@kahlebeckerlaw.com)

Irion Sanger  
SANGER LAW, P.C.  
1117 SW 53<sup>rd</sup> Avenue  
Portland, Oregon 97215

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [irion@sanger-law.com](mailto:irion@sanger-law.com)

**Tamarack Energy Partnership**

Michael C. Creamer  
Preston N. Carter  
GIVENS PURSLEY LLP  
601 West Bannock Street (83702)  
P.O. Box 2720  
Boise, Idaho 83701

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [mcc@givenspursley.com](mailto:mcc@givenspursley.com)  
[pnc@givenspursley.com](mailto:pnc@givenspursley.com)


**Avista Corporation**

Michael G. Andrea, Senior Counsel  
Avista Corporation  
1411 East Mission Avenue, MSC-23  
Spokane, Washington 99202

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [michael.andrea@avistacorp.com](mailto:michael.andrea@avistacorp.com)

Clint Kalich  
Manager, Resource Planning and Analysis  
Avista Corporation  
1411 East Mission Avenue, MSC-7  
Spokane, Washington 99202

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [clint.kalich@avistacorp.com](mailto:clint.kalich@avistacorp.com)

  
Christa Barry, Legal Assistant