

# WILLIAMS · BRADBURY

A T T O R N E Y S A T L A W

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March 19, 2015

IDAHO PUBLIC  
UTILITIES COMMISSION

Ms. Jean Jewell  
Commission Secretary  
Idaho Public Utilities Commission  
472 W. Washington  
Boise, ID 83702

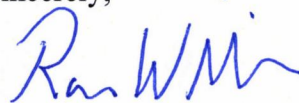
Re: IPC-E-15-01

Dear Ms. Jewell:

Enclosed please find an original and seven copies of the Renewable Energy Coalition's (REC) Response to Joint Petition and Cross Petition for Clarification of Clearwater Paper and Simplot.

Please call should you have any questions.

Sincerely,



Ronald L. Williams

RLW/jr  
Enclosures  
cc: Service List

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*Counsel for Renewable Energy Coalition*

**BEFORE THE IDAHO PUBLIC UTILITES COMMISSION**

IN THE MATTER OF IDAHO POWER )	<b>Case No. IPC-E-15-01</b>
COMPANY’S PETITION TO MODIFY )	
TERMS AND CONDITIONS OF )	<b>RENEWABLE ENERGY</b>
PROSPECTIVE PURPA ENERGY SALES )	<b>COALITION’S RESPONSE TO THE</b>
AGREEMENTS )	<b>JOINT PETITION AND CROSS</b>
)	<b>PETITION FOR CLARIFICATION</b>
)	<b>OF CLEARWATER PAPER AND</b>
)	<b>SIMPLOT</b>
)	
_____ )	

Pursuant to Rule 331 of the Idaho Public Utilities Commission’s (the “Commission”) Rules of Practice and Procedure and the Commission’s Order No. 33253, the Renewable Energy Coalition (“REC”) files this response to the Joint Petition and Cross Petition to Clarify of Clearwater Paper Corporation and J.R. Simplot Company (“Clearwater/Simplot”). REC supports Clearwater/Simplot’s request that the Commission clarify that its order adopting interim relief should not apply to baseload

qualifying facilities (“QFs”), and should only apply to new intermittent wind and solar projects above the rate eligibility cap. In support of this response, REC states as follows:

On January 30, 2015, Idaho Power Company (“Idaho Power”) filed its application seeking to reduce the contract term for new QFs above the rate eligibility cap. In Order No. 33222, the Commission adopted interim relief that reduced the maximum term for all new QF contracts to five years. In response to a Petition to Clarify of the Intermountain Energy Partners and the Cross Petition of REC, the Commission clarified and revised Order No. 33222. Specifically, in Order No. 33523, the Commission clarified that the five-year term limit does “not apply to new PURPA contracts eligible for published rates.”

Clearwater/Simplot have also requested that the Commission clarify that Order No. 33222 should state that the “the maximum contract term for Idaho Power’ new PURPA intermittent (wind and solar powered) contracts shall be five years . . . .”

Clearwater/Simplot point out that the alleged problems identified by Idaho Power are entirely attributable to wind and solar QFs above the rate eligibility cap.

Clearwater/Simplot also explain that the Commission’s interim relief should not apply to baseload QFs because Idaho Power has not claimed these projects are causing any problems.

REC is not taking a position at this time in regarding the merits of Idaho Power’s claims that new intermittent wind and solar QFs are causing major problems, but REC agrees that Idaho Power has raised serious issues and concerns that warrant further investigation. REC also does not oppose the Commission’s adoption of interim relief,

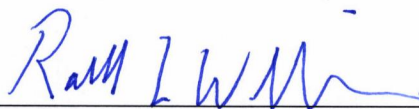
and recommends that any relief be narrowly tailored to address the specific problems that Idaho Power claims it is experiencing.

Idaho Power has not submitted sufficient evidence that any baseload QFs are contributing to its potential problems associated with the acquisition of large amounts of unneeded variable wind and solar generation. Baseload QFs have long been a valuable, but small, part of Idaho Power's resource portfolio, and they will continue to provide reliable and consistent energy and capacity. Therefore, the Commission should limit any interim relief to only new intermittent wind and solar QFs above the rate eligibility cap.

WHEREFORE, REC respectfully requests that the Commission grant the Clearwater/Simplot Joint Petition and Cross Petition for Clarification limiting the interim relief that shortened the maximum contract term to five years so that it only applies to proposed intermittent wind and solar QF projects that exceed the published rate eligibility cap.

Dated this 19<sup>th</sup> day of March, 2015.

Respectfully submitted,



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Ronald L. Williams,  
Williams Bradbury, P.C.  
Attorneys for REC

**CERTIFICATE OF DELIVERY**

I HEREBY CERTIFY that on this 19 day of March, 2015, I caused to be served a true and correct copy of the foregoing document upon the following individuals in the manner indicated below:

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