

DECISION MEMORANDUM

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

FROM: EDITH L. PACILLO
DEPUTY ATTORNEY GENERAL

DATE: MAY 18, 2018

SUBJECT: THE PETITION OF IDAHYDRO, SHOROCK HYDRO, INC., J.R. SIMPLOT COMPANY, AND RENEWABLE ENERGY COALITION FOR MODIFICATION OF THE 90/110 PERFORMANCE BAND AND CALCULATION OF OPERATION AND MAINTENANCE CHARGES FOR PURPA QUALIFYING FACILITIES, CASE NO. IPC-E-18-07.

On April 16, 2018, Idahydro, Shorock Hydro, Inc., the J.R. Simplot Company, and the Renewable Energy Coalition jointly petitioned to the Commission to modify, amend, or stay existing orders or rules, and to clarify rights and obligations implementing Section 210 of the Public Utilities Regulatory Policy Act of 1978 ("PURPA"), 16 U.S.C. §824a-3 *et seq.* Specifically, Petitioners asked the Commission to revisit the 90/110 performance band for non-wind Qualifying Facilities ("QFs"). Petitioners also asked the Commission to modify how Idaho Power calculates the Operations & Maintenance ("O&M") charges that QFs pay to interconnect their facilities with Idaho Power under Schedule 72, as approved in Order No. 24025, so Idaho Power only can charge a QF for the actual O&M costs that Idaho Power incurs to interconnect with that QF's facilities.

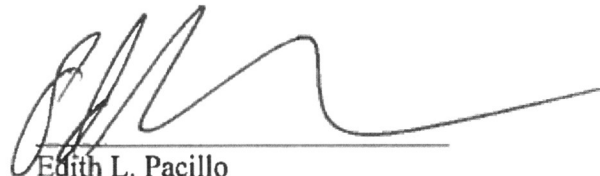
Upon reviewing the Petition, Commission Staff filed a decision memo that summarized the 90/110 performance band request, and recommended that the Commission issue a Notice of Petition, set a 21-day intervention deadline, and direct the parties to confer about a schedule. Staff's memo said nothing about Schedule 72 O&M charges. Consequently, after Staff's recommendation was approved via the consent agenda, the resulting Notice of Petition set this procedure and provided notice about the 90/110 performance band, but said nothing about the Schedule 72 O&M charges. *See* Order No. 34509, issued May 8, 2018.

STAFF RECOMMENDATION

Staff recommends that the Commission issue an Amended Notice of Petition that notifies interested persons that both the 90/110 performance band *and* Schedule 72 O&M charges are at issue, sets a 21-day intervention deadline, and directs the parties to confer about a schedule for processing the case.

COMMISSION DECISION

Does the Commission wish to issue an Amended Notice of Petition that notifies interested persons that both the 90/110 performance band *and* Schedule 72 O&M charges are at issue, sets a 21-day intervention deadline, and directs the parties to confer about a schedule for processing the case?



Edith L. Pacillo
Deputy Attorney General

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