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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF 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 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

I. IDAHO POWER'S CROSS-PETITION/PETITION

Idaho Power Company ("Idaho Power" or "Company"), pursuant to RP 53, 57, and 326, hereby cross petitions and/or petitions, as appropriate, the Idaho Public Utilities Commission ("Commission") to modify, alter, or amend existing orders or rules and to clarify rights, obligations, and the implementation of Sections 201 and 210 of the Public

Utility Regulatory Policies Act of 1978 ("PURPA"), 16 U.S.C. § 824a-3 *et seq.*, and various Commission orders, as set forth herein.

RP 57 addresses answers to complaints and petitions. Surprisingly, unless the Commission modifies the time within which to answer, RP 57.02 references and contemplates answers to petitions within 21 days after service of petition in the same manner as one would answer a complaint, which is contrary to the customary practice in front of the Commission where a formal answer is seldom, if ever, filed in response to a petition. Additionally, while RP 57.02.a references both complaints and petitions, the rule is silent as to a cross-petition, while stating that matters alleged by cross-complaint must be separately stated and numbered. Thus, Idaho Power hereby files this pleading as a cross-petition and/or petition. As referenced and further discussed below, the parties to this proceeding have previously discussed converting this matter into a GNR, generic proceeding applicable to all Qualifying Facilities ("QF") and all utilities, but have been unsuccessful in reaching agreement as to the scope of this proceeding as well as a procedural schedule, with those efforts still ongoing. And as further discussed below, Idaho Power believes that the issues raised by the QF Parties' petition necessarily, and expressly, implicate the Commission's overall implementation of Federal Regulation, 18 C.F.R § 292.304(d), and the proper implementation of PURPA for the state of Idaho. Idaho Power asks that the Commission either grant leave to allow Idaho Power to cross petition, or alternatively, that it consider Idaho Power's pleading as an independent petition and consider both Idaho Power's petition and the QF Parties' petition in one consolidated proceeding. In any event, Idaho Power believes that the proper scope and determination requested of the Commission by both the QF Parties' petition and Idaho

Power's cross-petition/petition is applicable to all potential QFs regardless of generation type and would be appropriately considered in a GNR, generic, case for the general applicability to all QFs and all utilities of the Commission's implementation of PURPA in the state of Idaho. This would presumably require a new Notice and Intervention Period prior to the establishment of a procedural schedule.

Accordingly, Idaho Power petitions the Commission to determine the proper breadth and scope of its implementation of 18 C.F.R. § 292.304(d) in the state of Idaho, and the proper firmness determination and requirements in order for a QF to establish a legally enforceable obligation thereunder along with the associated pricing determined at the time of entering into such legally enforceable obligation or contract, as more fully set forth herein, and as stated in the Prayer for Relief.

II. BACKGROUND, INITIAL PETITION, SCOPE AND PROCEDURE

On April 16, 2018, Idaho Hydroelectric Power Producers Trust ("Idahydro"), Shorock Hydro, Inc. ("Shorock"), J.R. Simplot Company ("Simplot"), and the Renewable Energy Coalition ("REC") (collectively, "QF Parties" or "QF Petitioners") filed a petition with the Commission asking that the 90/110 requirement for firm pricing contained in PURPA QF energy sales agreements ("ESA") with utilities be abandoned as it applies to "small hydropower, cogeneration, biomass, and baseload QFs" and, further, that the Commission-approved schedule of operation and maintenance ("O&M) charges contained in Idaho Power's Schedule 72 be revised to "only allow charges to QFs for actual O&M expenses at the time of occurrence." QF Parties' Petition at 9-10. In the QF Petitioners' Prayer for relief they ask the Commission to order, among other things:

> That small hydropower, cogeneration, biomass, and baseload QFs that choose to enter into an ESA or otherwise legally enforceable obligation after the date of such order issued in this proceeding may elect to sell their electrical energy and capacity to electric utilities regulated by the Commission at forecasted, fixed avoided cost rates calculated at the time the obligation is incurred under 18 C.F.R. § 292.304(d)(2)(ii) under a long-term ESAs that does not contain the 90/110 Performance Band requirement.

Id.

The QF Parties' petition has been Noticed twice by the Commission, and petitions to intervene have been granted for Tamarack Energy Partnership ("Tamarack") and Avista Corporation ("Avista"). Since the filing of the QF Parties' Petition, the QF Petitioners, as well as Commission Staff, have served several lengthy rounds of discovery upon Idaho Power. The parties to this proceeding have attempted unsuccessfully to reach agreement as to the scope of this proceeding as well as a procedural schedule, with those efforts still ongoing. With Idaho Power's cross-petition/petition, Idaho Power believes that the proper scope and determination requested of the Commission is applicable to all potential QFs regardless of generation type or geographic location within the state of Idaho and would be appropriately considered in a GNR, general or generic, case for the general applicability of the Commission's implementation of PURPA in the state of Idaho.

The issues raised by the QF Petitioners regarding the Commission requirements surrounding the 90/110 provisions, and the previous orders of the Commission discussing the same, as well as the changed circumstances since said orders, necessitates clarification and revision of the Commission's implementation of 18 C.F.R. § 292.304(d) for the state of Idaho. The QF Petitioners allege in their petition that the Commission's

90/110 provisions and the requirement to provide "firm" power delivery "does not arise from, and is contrary to, 18 C.F.R. § 292.304(d), which distinguishes QF energy sold on an 'as available' basis at the time of delivery ('Non-firm') and energy sold pursuant to a ESA for delivery over a specified term ('Firm'). *See Order No. 181190,* U-1006-20." QF Parties' Petition at 3-4. Idaho Power disagrees and petitions the Commission to clarify and modify its provisions regarding firm QF delivery and the Commission's implementation of 18 C.F.R. § 292.304(d) in Idaho. Contrary to what may be indicated by the areas of inquiry from the discovery questions delivered to Idaho Power and Avista thus far, this case and question is not a matter of integration costs, damages, replacement power costs, forecasts, the utility's risk management, operating plans, or non-performance penalties; rather, it is a matter of the proper and lawful implementation of eligibility for firm versus non-firm avoided cost rates for purchases as set forth in 18 C.F.R. § 292.304(d) in a manner that is not harmful to Idaho Power retail customers.

While the 90/110 requirement as a determination of firmness is better than having no determination of firmness at all, the current implementation of the 90/110 requirement is an insufficient determinant of the firmness of QF generation deliveries, and results in large amounts of non-firm generation receiving firm generation avoided cost pricing, locked in for the entire duration of an ESA. This results in overpayment for QF generation, and harms Idaho Power's retail customers. Idaho Power asks the Commission to clarify its implementation of PURPA in the state of Idaho with regard to the definition of firmness for QF generation, and the relationship of that firmness determination to a QF's ability to establish a legally enforceable obligation and thus gain access to the firm avoided cost rate that is established at the time of the legally enforceable obligation, as opposed to the

non-firm avoided cost rate, established at the time of delivery. Idaho Power petitions the Commission to order that only firm QF generation resources can establish a legally enforceable obligation and the right to firm avoided cost pricing, locked in for the duration of their ESA. The definition of a firm QF resource should be the same as the definition of a firm resource applicable to non-QF generation. The 90/110 definition of firmness should be modified to require firm scheduled deliveries of QF generation where the QF must schedule and guarantee the amount of generation that is delivered at a particular time as firm. All other generation deliveries are non-firm and should be priced accordingly.

This cross-petition and/or petition is further based upon the following:

III. QF DEVELOPMENT AND COST ON IDAHO POWER'S SYSTEM

Idaho Power has a long history with active PURPA QF projects, and has acquired a very substantial amount of QF generation that currently operates on its system. The first QF projects were constructed and started selling their output to Idaho Power under PURPA in approximately 1982. Attachment 1. For the next 20 years, Idaho Power accumulated a large number of predominately small hydro PURPA QF projects that steadily increased and maintained energy deliveries under 200 megawatts ("MW") total generation. *Id.* To this day, small hydro QFs make up the majority of the number of PURPA projects under contract with Idaho Power. Attachment 2. Idaho Power has 68 PURPA hydro projects out of a total of 134 PURPA projects under contract. *Id.* PURPA hydro, however, provides a relatively small amount of the total PURPA generation. *Id.* PURPA hydro provides approximately 147 MW of the 1,120 MW of total PURPA nameplate generation capacity that is on-line. *Id.* Since approximately 2002, Idaho Power has experienced a dramatic increase in the number and size of PURPA projects,

predominately wind, and now solar, QF projects coming on-line and under contract. Additionally, many of the early QF hydro generation projects, many of which are members of the QF Petitioners' organizations, are running the full term of their initial PURPA ESAs, and have and will be seeking to enter into new obligations with Idaho Power and its customers. Approximately eight of these existing QF projects have already entered into replacement, long-term ESAs with Idaho Power. Over the next several years, approximately 1 more existing QF hydro contract is set to expire in 2018, 9 more ESAs in 2019, 14 more ESAs in 2020, and 18 hydro ESAs thereafter through 2024.

As shown in Attachment 2, as well as the table below, Idaho Power currently has a total of 1,149 MW of PURPA QF projects under contract. Of that total, 1,120 MW of capacity from these projects are on-line and operational today. *Id.* Idaho Power has 627 MW of PURPA wind capacity currently operating on its system. *Id.* The Company has 290 MW of PURPA solar capacity under contract and on-line, an additional 286 MW of PURPA solar capacity in the queue actively seeking PURPA energy sales agreements, and 300 MW of additional solar generation seeking to interconnect to Idaho Power's system. Attachment 1; Attachment 2. In total, Idaho Power today has 2,290 MW of PURPA generation operating, under contract, interconnecting, or currently requesting long-term, fixed-price energy sales agreements to obligate the Company and its customers. *Id.* For comparison, total load on Idaho Power's system varies from a minimum of approximately 1,100 MW to a maximum of approximately 3,400 MW throughout the year.[1]

[1] Actual 2017 minimum load was approximately 1,064 MW. Idaho Power's historical record high peak load was 3,422 MW on July 7, 2017.

Renewable Energy

PURPA Qualifying Facilities		
Under Contract and On-line	**MW**	**Subtotal**
Biomass	36	
CoGen	16	
Thermal	5	
Hydro	147	
Solar	290	
Wind	627	
	1,120	1,120
Under Contract, but NOT On-line		
Hydro	2	
Solar	27	
	29	1,149
Pending (Not Under Contract, Not On-line)		
Biomass	48	
Hydro	7	
Solar	586	
Wind	500	
	1,141	2,290

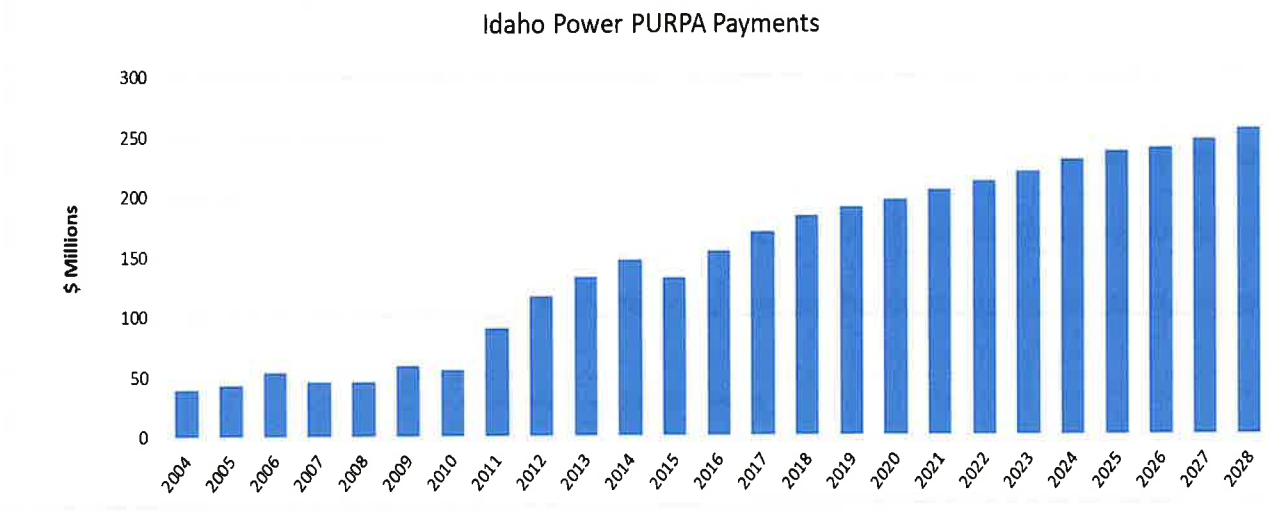
Non-PURPA Projects		
On-line Power Purchase Agreements	**MW**	**Subtotal**
Geothermal	35	
Wind	101	
	136	136
Total Renewable Energy - PURPA and Non-PURPA		**2,426**

Idaho Power also has an additional 136 MW of non-PURPA renewable generation under contract. The Company's non-PURPA renewable projects consist of: Elkhorn Wind, 101 MW; Neal Hot Springs Geothermal, 22 MW; Raft River Geothermal, 13 MW; and the Oregon Solar Photovoltaic Pilot Program, 60 projects with 0.46 MW. Attachment 2.

The current customer obligation of $3.4 billion for all PURPA generation currently operating on Idaho Power's system would increase to $4.1 billion with the addition of the PURPA generation that is currently proposed. Attachment 3; Attachment 4. This additional obligation and risk borne by customers is being added to the Company's

system at a time when it does not need any additional generation resources to serve customers' needs well into the future.

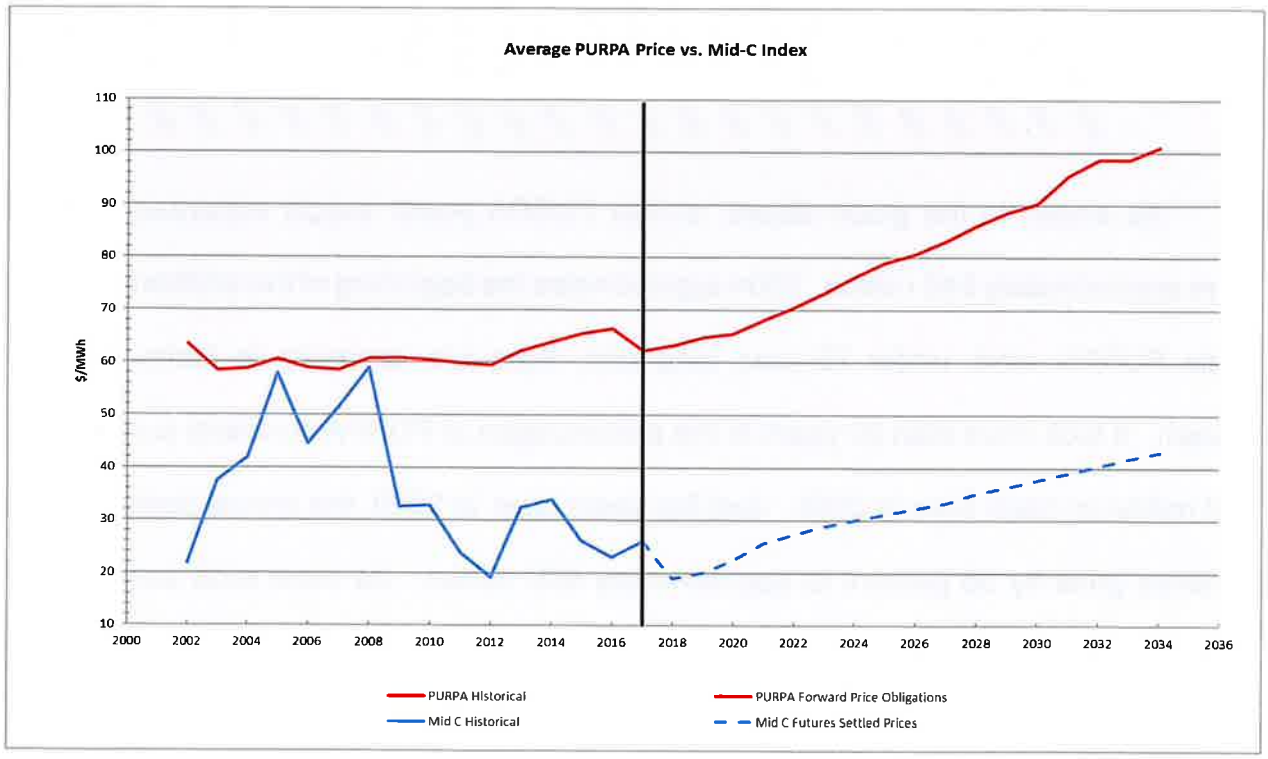
At the same time, PURPA power supply expenses are growing at a rapid pace and becoming quite large. The graph below shows the historical and projected increase in annual PURPA power supply expense from 2004 through 2028, and includes all contracts signed and approved by the Commission through July 25, 2018.



As shown in the graph above, annual PURPA power supply expenses in 2004 were approximately $40 million. 2004 approximates the beginning of the addition of large-scale PURPA wind, under 20-year, long-term, fixed-rate contracts to Idaho Power's system. It took more than 20 years of the accumulation of PURPA contracts to reach the $40 million in costs seen in 2004. Just five years later, in 2009, the annual power supply expense grew by 50 percent to approximately $60 million. As more wind was coming onto the system at a rapid pace, just three years later, in 2012, annual PURPA power supply expense almost doubled, to nearly $120 million, and eventually leveled off for a few years just under $150 million. With the rapid addition of the recent PURPA solar contracts, which came on-line in 2016 and 2017, and additional development of solar,

hydro, and biomass QFs, PURPA annual power supply expense is estimated to increase to over $250 million by 2028. This is a staggering 625 percent increase in annual PURPA power supply expense in approximately 24 years, over the previous 20 years. This growth trend continues during a time when Idaho Power has no identified need for new generation resources identified by its Integrated Resource Plan ("IRP"). The Company is capacity sufficient through 2026, and energy sufficient beyond the next decade.

In addition, Idaho Power's average cost of PURPA generation included in base rates is $63.49/megawatt-hour ("MWh"). This price is always high when compared to current alternatives. Idaho Power's avoided cost, established through the avoided cost methodologies approved by the Commission, has historically exceeded market price, and is projected to always exceed market price into the future as shown in the graph below.



The cost of PURPA generation, on a dollars per MWh basis, is not just greater than Mid-C market prices, it is greater than all the net power supply cost components

currently recovered in rates: Federal Energy Regulatory Commission ("FERC") Account 501, Coal; FERC Account 547, Natural Gas; FERC Account 555, Non-PURPA Purchases; and FERC Account 447, Surplus Sales. At $63.49 per MWh, the average cost of PURPA purchases is greater than the average cost of coal at $29.40 per MWh, greater than gas at $29.75 per MWh, greater than non-PURPA purchases of $47.60 per MWh, and significantly greater than what is being sold as surplus sales at $25.73 per MWh. Attachment 5. This economic relationship between PURPA and the Company's other power costs illustrates that as the Company is required to purchase unneeded PURPA generation, it may be required to back down or curtail other less expensive sources of generation or market purchases in order to continue purchasing PURPA generation at a higher cost. This would mean that the Company's overall net power supply expense, on a dollars per MWh basis, would increase, adversely impacting customers.

The large disparity between the cost of Idaho Power's PURPA power supply expense and other generation, as well as the gross exceedance in all years of market prices for equivalent, and the often more valuable and firm, market generation prices, is largely a result of the current implementation of 18 C.F.R. § 292.304(d) and the 90/110 provisions that unreasonably allow large amounts of non-firm QF generation to establish long-term lock-ins of firm rates pursuant to a legally enforceable obligation. If much of the QF, non-firm generation were more appropriately priced as-available, then the PURPA power supply expense would at least start to move closer to a market price.

The Commission in its approval of the last 11 large PURPA QF solar ESAs with Idaho Power has questioned the continued acquisition of such large amounts of PURPA

generation when there is not an associated need for that generation on Idaho Power's system.[2] The Commission stated in those orders, "Unfortunately, PURPA does not address and FERC regulation does not adequately provide for consideration of whether the utility being forced to purchase QF power is actually in need of such energy." *See* fn. 2. Idaho Power currently has generation capacity sufficient to reliably serve customers' peak consumption, or demand, through the year 2026, and has sufficient resources to meet customers' energy consumption until 2029. 2017 IRP, Appendix C: Technical Report at 31, 49. Additionally, the Company's 2017 IRP has identified the Boardman to Hemingway transmission line as the primary resource in the near-term action plan. The Boardman to Hemingway transmission line would serve additional growth for years beyond the next identified need in 2026 without adding any new generation plants.

The Commission has previously expressed concern about passing those substantial costs for unneeded resources on to Idaho Power customers. The Commission concluded each of the orders, footnoted above, with expression of its concern about Idaho Power's ability to continue to take such large amounts of intermittent generation stating, "While we are pleased with the progression of the IRP methodology, avoided cost rates are not the only terms to a PURPA contract. The utilities are in the best position to inform the Commission if review of additional PURPA contract terms and conditions is warranted." *See* fn. 2.

The requested modification to the 90/110 requirements and a revised implementation of eligibility to form a legally enforceable obligation and entitlement to firm avoided cost rates is necessary to prevent further harm to Idaho Power's customers that

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[2] Order Nos. 33198 at 5-7; 33199 at 5-7; 33200 at 5-7; 33201 at 5-6; 33202 at 5-6; 33204 at 6-7; 33205 at 6-7; 33206 at 7-8; 33207 at 6-8; 33208 at 6-8; 33209 at 6-8.

may result from entering into additional long-term, fixed-rate purchase agreements/obligations, not only when there is no need for such generation, but also improperly paying the firm avoided cost rate for non-firm QF generation, thus passing on such overpayment to customers. Idaho Power should not be obligated to enter into prospective long-term contracts that pay for firm generation but receive a non-firm product, nor should Idaho Power customers be obligated to pay for such long-term purchases as firm deliveries when they are actually providing much less valuable, non-firm generation and power production.

IV. DISCUSSION

A. Legal Background–PURPA and Firm Versus Non-Firm Pricing.

Sections 201 and 210 of PURPA require electric utilities to offer to purchase electric energy from qualifying cogeneration and small power production facilities. 16 USC § 824a-3(a). PURPA further specifies that the purchase rates set by state commissions for electric utility purchases of energy generated by QFs may not exceed the incremental cost to the electric utility of alternative electric energy. 16 USC § 824a-3(b). PURPA defines incremental cost as the cost to the electric utility of the electric energy which, but for the purchase from such QFs, such utility would generate or purchase from another source. 16 USC § 824a-3(d). PURPA also requires state commissions to set the rates for purchases of power from QFs at levels that are just and reasonable to the utility's customers and in the public interest and that do not discriminate against QFs, but that are not more than avoided costs. 16 USC § 824a-3(b)(1) and (2).

Congress enacted PURPA to encourage the development of cogeneration and small power production facilities, and directed FERC to promulgate regulations to further

this goal. 16 U.S.C. § 824a-3(a); *FERC v. Mississippi*, 456 U.S. 742, 750-51, 102 S.Ct. 2126, 72 L.Ed.2d 532 (1982). PURPA also requires that the state regulatory authorities, such as the Idaho Public Utilities Commission, implement the FERC regulations. 16 U.S.C. § 824a-3(f). In *FERC v. Mississippi*, the U.S. Supreme Court found that a state may comply with its obligation to implement PURPA and FERC regulations "by issuing regulations, by resolving disputes on a case-by-case basis, or by taking any other action reasonably designed to give effect to FERC's rules." 456 U.S. at 751, 102 S.Ct. 2126, 72 L.Ed.2d 532. FERC has further stated that states may fulfill the requirement to implement its rules by "either 1) through the enactment of laws or regulations at the State level; 2) by application on a case-by-case basis by the State regulatory authority, or nonregulated utility, of the rules adopted by the Commission [FERC]; or 3) by any other action reasonably designed to implement the Commission's [FERC's] rules." *Policy Statement Regarding the Commission's Enforcement Role Under Section 210 of the Public Utility Regulatory Policies Act of 1978*, 23 FERC P 61304, 61644, 1983 WL 39627 (May 31, 1983).

With regard to the rates for purchases by utilities from QFs, FERC outlines, among other requirements, that such purchases be priced either at the time of delivery, or at the time a legally enforceable obligation, or contract, is incurred. 18 C.F.R. § 292.304. FERC's regulation states:

> (d) *Purchases "as available" or pursuant to a legally enforceable obligation.* Each qualifying facility shall have the option either:
>
> (1) To provide energy as the qualifying facility determines such energy to be available for such purchases, in which case the rates for such purchases shall be based on the purchasing utility's avoided costs calculated at the time of delivery; or

> (2) To provide energy or capacity pursuant to a legally enforceable obligation for the delivery of energy or capacity over a specified term, in which case the rates for such purchases shall, at the option of the qualifying facility exercised prior to the beginning of the specified term, be based on either:
>
> (i) The avoided costs calculated at the time of delivery; or
>
> (ii) The avoided costs calculated at the time the obligation is incurred.

18 C.F.R. § 292.304(d).

The Commission has implemented the provisions of 18 C.F.R. § 292.304, Rates for Purchases, with regard to Idaho Power by making available the two pricing options referred to in § 292.304(d). First, in accordance with 18 C.F.R. § 292.304(d)(1), a QF may elect to sell "as available" pursuant to Idaho Power's Tariff Schedule 86, *Cogeneration and Small Power Production Non-Firm Energy*. IPUC No. 29, Tariff No. 101, Sheet No. 86-1 through 86-7. This pricing option is available for QFs choosing to provide non-firm generation, or provided as the QF determines such generation to be available, and receives rates based upon the utility's avoided cost at the time of delivery. Second, in accordance with 18 C.F.R. § 292.304(d)(2), for QFs that demonstrate by compliance with 90/110 that they are providing "firm" deliveries, such QFs may elect to have pricing established either at the time of delivery, as in 18 C.F.R. § 292.304(1), or at the time of contracting, or when the obligation is incurred. The Commission independently reviews each QF ESA, and Commission approval of each agreement, including its prices, terms, and conditions is required prior to such agreement being effective.

B. The Commission has Exclusive Authority to Determine Firmness Requirements for the Establishment of a Legally Enforceable Obligation and Firm Avoided Cost Pricing.

A state regulatory commission charged with the implementation of PURPA has the exclusive authority to determine within its discretion the parameters for creating a legally enforceable obligation, including when it is created. *Exelon Wind 1, L.L.C., v. Nelson*, 766 F.3d 380 (5th Cir.2014); *Idaho Power Co., v. Idaho Pub. Util. Comm.*, 155 Idaho 780, 316 P.3d 1278 (2013) ("*Grouse Creek*"). A state commission's determination that only firm QF resources can create a legally enforceable obligation and that all non-firm resources could only receive the "as available" avoided cost rate has been confirmed by Federal Court as a lawful and proper implementation of PURPA. *Exelon Wind 1, L.L.C., v. Nelson*, 766 F.3d 380 (5th Cir.2014).

In the *Exelon Wind v. Nelson* case, *supra*, Exelon Wind, a QF, sought contracts with Southwestern, a utility required to purchase QF generation under PURPA. *Id.,* at 386. Exelon sent letters to Southwestern demanding that Southwestern purchase Exelon's energy output for the next 20 years, and purported to create legally enforceable obligations with Southwestern. *Id.* Southwestern refused to purchase Exelon's generation stating that the rates demanded by Exelon exceeded the as-available prices and that Exelon could not form a legally enforceable obligation, nor receive such avoided cost rates, because it could not provide firm power. *Id.* Exelon filed a complaint with the Texas PUC. *Id.* The Texas PUC held that Exelon's power was non-firm, that it had not created a legally enforceable obligation, and that it was only entitled to as-available rates. *Id.,* at 386-87. Exelon appealed the Texas PUC's ruling to the state district court in Texas, and at the same time filed a petition for enforcement and request for declaratory order

with FERC. *Id.*, at 387. FERC declined to initiate an enforcement action against the Texas PUC, but issued a declaratory order stating that the Texas PUC's order was inconsistent with FERC's Regulation and that a QF could form a legally enforceable obligation even if its power is non-firm. *Id.* Exelon then non-suited its state court appeal and filed an action in federal district court seeking declaratory and injunctive relief against the Texas PUC Commissioners arguing among other claims that all QFs could form legally enforceable obligations, and that the Texas PUC's rule and orders did not properly implement FERC's PURPA regulations. *Id.*, at 387-88. The federal district court granted summary judgment in favor of Exelon concluding that the Texas PUC's order failed to implement PURPA and permanently enjoined the Texas PUC from requiring a QF to provide firm power as a condition of creating a legally enforceable obligation. *Id.*, at 388. The Texas PUC, Southwestern, and Occidental (Southwestern's largest customer) appealed to the United States Court of Appeals, Fifth Circuit. *Id.*

The Fifth Circuit reversed the federal district court's ruling and, in so doing, determined that several of Exelon's claims were as-applied challenges, which were within the exclusive jurisdiction and authority of the state to determine. *Id.*, at 388-94. The Fifth Circuit directed the district court to dismiss for want of subject matter jurisdiction all claims determined by the Fifth Circuit to be as-applied claims, and proceeded to determine only Exelon's remaining claim that the Texas PUC's rule fails to implement FERC's regulations. *Id.*, at 394.

The Texas PUC had passed an administrative rule with regard to implementation of 18 C.F.R. § 292.304(d) limiting establishment of legally enforceable obligations and the associated pricing to firm resources only. *Id.*, at 385.

> The [Texas] PUC's rule implementing FERC's Regulation permits only a Qualifying Facility that generates "firm power" to enter into a Legally Enforceable Obligation. 16 Tex. Admin. Code § 25.242(c) (PUC Rule 25.242). The PUC defines "firm power" as "power or power-producing capacity [from a Qualifying Facility] that is available pursuant to a legally enforceable obligation for scheduled availability over a specified term." *Id.* § 25.242(c)(5). The [Texas] PUC defines non-firm power from a Qualifying Facility as "[p]ower provided under an arrangement that does not guarantee scheduled availability, but instead provides for delivery as available." *Id.* § 25.242(c)(9). In other words, only those Qualifying Facilities able to forecast when they will deliver energy to the utility - and capable of delivering the specified amount of energy at the scheduled time - are eligible to take advantage of the pricing options in subsection (d)(2) of FERC's Regulation [18 C.F.R. § 292.304(d)]. By contract, Qualifying Facilities with non-firm power that cannot guarantee such delivery may charge the utility only the current or "as-available" market price for the power.

Exelon Wind 1, L.L.C., v. Nelson, 766 F.3d 380, 385-86 (5th Cir.2014).

In reversing and remanding the district court's decision, the Fifth Circuit summarized its determination as follows:

> In sum, Exelon has failed to show that PURPA and FERC's Regulation mandate that all Qualifying Facilities be able to create Legally Enforceable Obligations at any time. PURPA allows states discretion in determining when a Legally Enforceable Obligation is created, and [Texas] PUC Rule 25.242 falls within that discretion. The PUC is therefore entitled to deference in defining the parameters for creating Legally Enforceable Obligations. Here, the PUC has reasonably distinguished between Qualifying Facilities that can, and cannot, provide firm power. As Occidental notes, mandatory long-term contracts between generators and utilities can burden customers by imposing prices well above the actual market prices. The PUC made a reasonable decision that only those Qualifying Facilities capable of providing reliable and predictable power may enter into such arrangements. Thus, Exelon has not proven that the PUC failed to implement FERC's PURPA regulations.

Id., at 400 (citations omitted).

Eligibility for a legally enforceable obligation and the associated rates determined at the time such obligation is incurred is an extremely important determination and condition of the obligation, contract, and sale from a QF to a utility and its customers. The price, terms, and conditions in a mandatory PURPA purchase, when the QF elects rates determined at the time of contracting/obligation for the duration of the contract, cannot be changed, adjusted, or affected at all, once approved and effective. FERC's view with regard to the Commission's inclusion of costs in long-term contracts was discussed in an Idaho Power case. *Idaho Wind Partners 1, L.L.C.*, Docket No. EL12-74-000, 140 FERC ¶ 61.219 (September 20, 2012)(Order Granting Petition for Declaratory Order); EL12-74-001, 143 FERC ¶ 61,248 (June 20, 2013) (Order on Rehearing). In the Idaho Wind Partners case, FERC insisted that all long-term PURPA contracts containing rates established at the time of contracting will be assumed to include all costs, even in the face of direct evidence that certain costs were not included in the avoided cost rates at the time of contracting. Order on Rehearing, *supra*. Additionally, FERC's position is that once avoided cost rates are established in the contract at the time of contracting, they cannot subsequently be changed. *Id.* While FERC's position is that the state commission may not change or revise a PURPA contract during its term because such action may constitute utility-type regulation of a QF in violation of 18 C.F.R. § 292.602(c)(1), the state commission may review and approve a PURPA contract at the time it is submitted by the parties for final approval, in furtherance of its state duty to ensure that the agreement is consistent with the public interest. *Crossroads Cogeneration Corp. v. Orange & Rockland Utilities, Inc.*, 159 F.3d 129, 138 (3d Cir.1998)("In other words, while PURPA allows the appropriate state regulatory agency to approve a power purchasing agreement, once

such an agreement is approved, the state agency is not permitted to modify the terms of the agreement.").

The Commission has the obligation to ensure that the avoided cost rate and the purchase of QF generation is just and reasonable to the utility's customers, in the public interest, and that customers are not harmed by the PURPA QF obligation. Inherent in that authority is the ability and authority to determine the appropriate conditions of the purchase and sale, and specifically to require firm delivery as a condition of establishing a legally enforceable obligation and the associated pricing. The Idaho Supreme Court has upheld the Commission's authority and procedure by which it approves or disapproves PURPA power sales agreements and determines whether a legally enforceable obligation exists that would bind the QF, utility, and its customers even in the absence of a contract. *Idaho Power Co., v. Idaho Pub. Util. Comm.*, 155 Idaho 780, 316 P.3d 1278 (2013)("*Grouse Creek*"). Determination of the proper terms and conditions of a required PURPA ESA, including the authority to require firm power deliveries in order to be eligible for the firm avoided cost rate, is soundly, and completely, within the authority and discretion of the Commission.

V. PRAYER FOR RELIEF

WHEREFORE, Idaho Power respectfully requests:

1. That the Commission clarify and modify its previous orders and direction with regard to the 90/110 requirement, QF firm delivery standards, and the Commission's implementation of FERC Regulation 18 C.F.R. § 292.304(d) by: (1) permitting only QFs that generate "firm power" to enter into legally enforceable obligations and receive the associated pricing determined at the time such obligations are incurred; (2) defining "firm

power" as power or power producing capacity from a QF that is available pursuant to a legally enforceable obligation for scheduled delivery of a specified amount of generation delivered at a specified time; and (3) defining "non-firm power" as power provided under an arrangement that does not guarantee scheduled availability, but instead provides for delivery as available; and

2. That the Commission consider Idaho Power's cross-petition/petition and the QF Parties' petition in one consolidated proceeding applicable to all QFs and utilities; and

3. That the Commission deny the QF Parties' requested relief with regard to any change or revision to the collection of O&M charges as authorized by Idaho Power's Schedule 72; and

4. That the Commission direct any other relief deemed appropriate and in the public interest.

Respectfully submitted this 25th day of July 2018.

DONOVAN E. WALKER
Attorney for Idaho Power Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of July 2018 I served a true and correct copy 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

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Christa Bearry, Legal Assistant

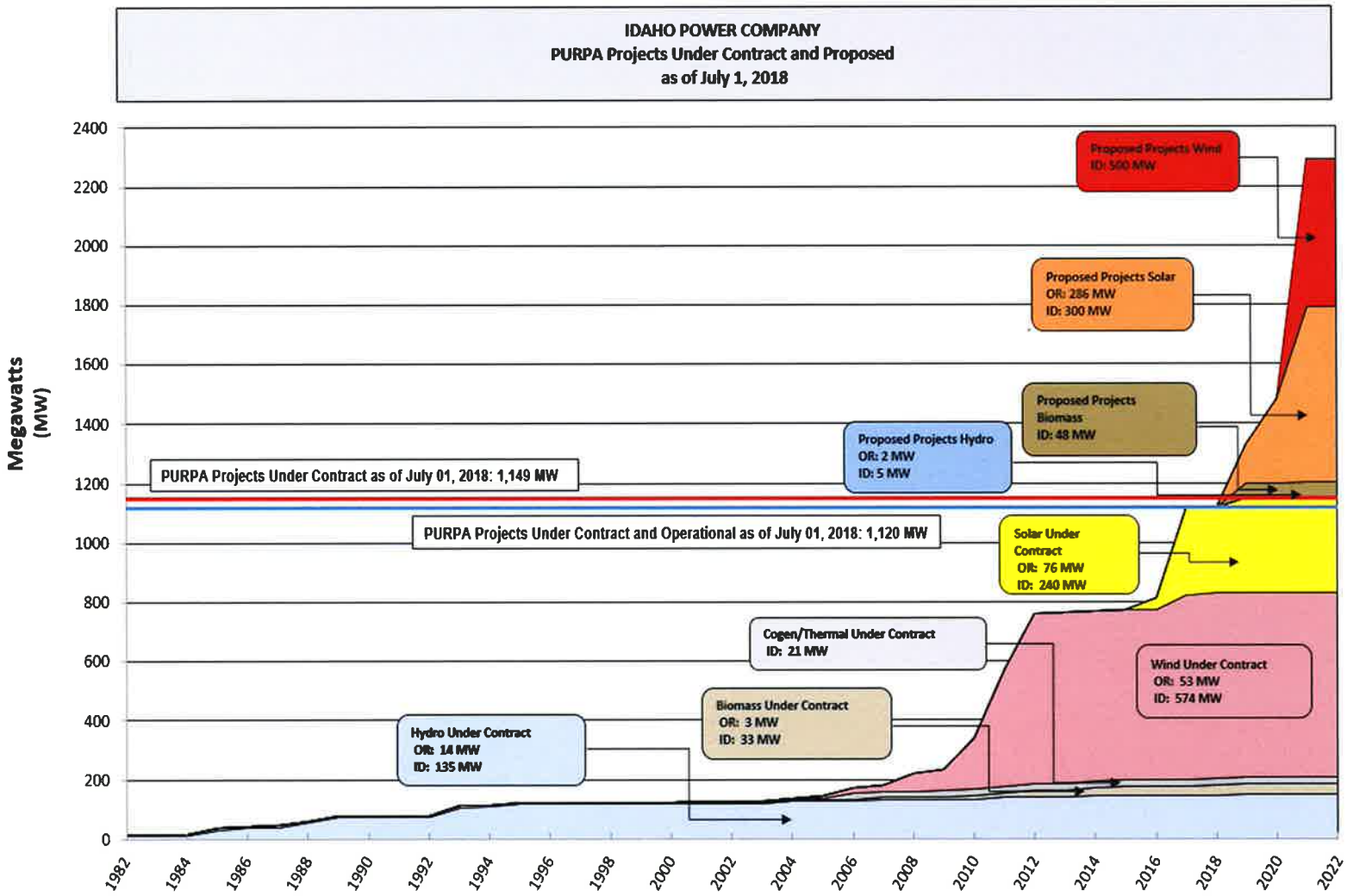
BEFORE THE

IDAHO PUBLIC UTILITIES COMMISSION

CASE NO. IPC-E-18-07

IDAHO POWER COMPANY

ATTACHMENT 1


IDAHO POWER COMPANY
PURPA Projects Under Contract and Proposed
as of July 1, 2018
Megawatts (MW)
2400
2200
2000
1800
1600
1400
1200
1000
800
600
400
200
0
1982
1984
1986
1988
1990
1992
1994
1996
1998
2000
2002
2004
2006
2008
2010
2012
2014
2016
2018
2020
2022
Proposed Projects Wind
ID: 500 MW
Proposed Projects Solar
OR: 286 MW
ID: 300 MW
Proposed Projects Biomass
ID: 48 MW
Proposed Projects Hydro
OR: 2 MW
ID: 5 MW
PURPA Projects Under Contract as of July 01, 2018: 1,149 MW
PURPA Projects Under Contract and Operational as of July 01, 2018: 1,120 MW
Solar Under Contract
OR: 76 MW
ID: 240 MW
Cogen/Thermal Under Contract
ID: 21 MW
Wind Under Contract
OR: 53 MW
ID: 574 MW
Biomass Under Contract
OR: 3 MW
ID: 33 MW
Hydro Under Contract
OR: 14 MW
ID: 135 MW

BEFORE THE

IDAHO PUBLIC UTILITIES COMMISSION

CASE NO. IPC-E-18-07

IDAHO POWER COMPANY

ATTACHMENT 2

Idaho Power Company
Renewable Energy Project List
as of 7/24/2018
For Projects in: ID, MT, OR

SUMMARY

PURPA Projects	134	1,148.99 MW
OregonSolar Projects	60	0.46 MW
Non PURPA Projects	3	135.65 MW
	197	**1,285.09 MW**

SUMMARY BY FACILITY TYPE

PURPA PROJECTS ONLINE		
Biomass	11	35.70 MW
CoGen	1	15.90 MW
Solar	14	289.50 MW
Thermal	2	5.00 MW
Hydro	68	147.12 MW
Wind	32	626.92 MW
	128	**1,120.14 MW**

PURPA PROJECTS UNDER CONTRACT NOT YET ONLINE		
Solar	5	26.75 MW
Hydro	1	2.10 MW
	6	**28.85 MW**

OregonSolar PROJECTS ONLINE		
OR Solar	60	0.46 MW
	60	**0.46 MW**

Non PURPA PROJECTS ONLINE		
Geothermal	2	35.00 MW
Wind	1	100.65 MW
	3	**135.65 MW**

Totals	Projects	Capacity
	197	**1,285.09 MW**

Idaho Power Company
Renewable Energy Project List
as of 7/24/2018
For Projects in: ID, MT, OR

PROJECT DETAILS

PURPA PROJECTS ONLINE

Project Number	Facility Type	Project Name	State	County	ProjectSize (MW)
31616150	Biomass	B6 Anaerobic Digester	ID	Gooding	2.28
41365515	Biomass	Bannock County Landfill	ID	Bannock	3.20
31615100	Biomass	Bettencourt Dry Creek Biofactory	ID	Twin Falls	2.25
31616100	Biomass	Big Sky West Dairy Digester (DF-AP #1, LLC)	ID	Gooding	1.50
31616115	Biomass	Double A Digester Project	ID	Lincoln	4.50
21865113	Biomass	Fighting Creek Landfill Gas to Energy Station	ID	Kootenai	3.06
21615100	Biomass	Hidden Hollow Landfill Gas	ID	Ada	3.20
41455091	Biomass	Pocatello Waste	ID	Bannock	0.46
31616110	Biomass	Rock Creek Dairy	ID	Twin Falls	4.00
20170214	Biomass	SISW LFGE	ID	Cassia	5.00
11766004	Biomass	Tamarack CSPP	ID	Adams	6.25
Total Biomass Projects: 11					**35.70**
41875695	CoGen	Simplot - Pocatello	ID	Power	15.90
Total CoGen Projects: 1					**15.90**
25586937	Solar	American Falls Solar II, LLC	ID	Power	20.00
25591644	Solar	American Falls Solar, LLC	ID	Power	20.00
12616100	Solar	Grand View PV Solar Two	ID	Elmore	80.00
12727358	Solar	Grove Solar Center, LLC	OR	Malheur	6.00
12739324	Solar	Hyline Solar Center, LLC	OR	Malheur	9.00
25088520	Solar	ID Solar 1	ID	Ada	40.00
25031625	Solar	Mt. Home Solar 1, LLC	ID	Elmore	20.00
25524198	Solar	Murphy Flat Power, LLC	ID	Owyhee	20.00
12705219	Solar	Open Range Solar Center, LLC	OR	Malheur	10.00
25573998	Solar	Orchard Ranch Solar, LLC	ID	Ada	20.00
12741175	Solar	Railroad Solar Center, LLC	OR	Malheur	4.50
25580735	Solar	Simcoe Solar, LLC	ID	Elmore	20.00
12745920	Solar	Thunderegg Solar Center, LLC	OR	Malheur	10.00
12719362	Solar	Vale Air Solar Center, LLC	OR	Malheur	10.00
Total Solar Projects: 14					**289.50**

Idaho Power Company
Renewable Energy Project List
as of 7/24/2018
For Projects in: ID, MT, OR

PURPA PROJECTS ONLINE

Project Number	Facility Type	Project Name	State	County	ProjectSize (MW)
21662100	Thermal	Tasco - Nampa	ID	Canyon	2.00
31616082	Thermal	Tasco - Twin Falls	ID	Twin Falls	3.00
Total Thermal Projects: 2					**5.00**
21615205	Hydro	Arena Drop	ID	Canyon	0.45
20150601	Hydro	Baker City Hydro	OR	Baker	0.24
21615078	Hydro	Barber Dam	ID	Ada	3.70
31214058	Hydro	Birch Creek	ID	Gooding	0.05
31415065	Hydro	Black Canyon #3	ID	Gooding	0.14
20140708	Hydro	Black Canyon Bliss Hydro	ID	Gooding	0.03
31615140	Hydro	Blind Canyon	ID	Gooding	1.63
31416013	Hydro	Box Canyon	ID	Twin Falls	0.36
31515100	Hydro	Briggs Creek	ID	Twin Falls	0.60
31715126	Hydro	Bypass	ID	Jerome	9.96
31416020	Hydro	Canyon Springs	ID	Twin Falls	0.13
31616081	Hydro	Cedar Draw	ID	Twin Falls	1.55
31516014	Hydro	Clear Springs Trout	ID	Twin Falls	0.52
31615057	Hydro	Crystal Springs	ID	Twin Falls	2.44
31415025	Hydro	Curry Cattle Company 2018	ID	Twin Falls	0.25
31615106	Hydro	Dietrich Drop	ID	Jerome	4.50
44395973	Hydro	Eightmile Hydro Project	ID	Lemhi	0.36
11615077	Hydro	Elk Creek	ID	Idaho	2.00
41717137	Hydro	Falls River	ID	Fremont	9.10
21615215	Hydro	Fargo Drop Hydroelectric	ID	Canyon	1.27
31615121	Hydro	Faulkner Ranch	ID	Gooding	0.87
31415134	Hydro	Fisheries Dev.	ID	Gooding	0.26
31615098	Hydro	Geo-Bon #2	ID	Lincoln	0.93
31315093	Hydro	Hailey Cspp	ID	Blaine	0.06
31715128	Hydro	Hazelton A	ID	Jerome	8.10
31715140	Hydro	Hazelton B	ID	Jerome	7.60
20140328	Hydro	Head of U Canal Project	ID	Jerome	1.28
11715144	Hydro	Horseshoe Bend Hydro	ID	Boise	9.50
31415094	Hydro	Jim Knight	ID	Gooding	0.34

Idaho Power Company
Renewable Energy Project List
as of 7/24/2018
For Projects in: ID, MT, OR

PURPA PROJECTS ONLINE

Project Number	Facility Type	Project Name	State	County	ProjectSize (MW)
31615031	Hydro	Kasel & Witherspoon	ID	Twin Falls	0.90
31615030	Hydro	Koyle Small Hydro	ID	Gooding	1.25
31615056	Hydro	Lateral # 10	ID	Twin Falls	2.06
31316015	Hydro	Lemoyne	ID	Gooding	0.08
31515110	Hydro	Little Wood River Ranch II	ID	Shoshone	1.25
31615105	Hydro	Little Wood Rvr Res	ID	Blaine	2.85
31515107	Hydro	Littlewood / Arkoosh	ID	Lincoln	0.87
31715099	Hydro	Low Line Canal	ID	Twin Falls	7.97
31615130	Hydro	Low Line Midway Hydro	ID	Twin Falls	2.50
31615125	Hydro	Lowline #2	ID	Twin Falls	2.79
31715123	Hydro	Magic Reservoir	ID	Blaine	9.07
31515009	Hydro	Malad River	ID	Gooding	0.62
31615117	Hydro	Marco Ranches	ID	Jerome	1.20
31615154	Hydro	Mile 28	ID	Jerome	1.50
12614070	Hydro	Mitchell Butte	OR	Malheur	2.09
21615200	Hydro	Mora Drop Small Hydroelectric Facility	ID	Ada	1.85
31515005	Hydro	Mud Creek S and S	ID	Twin Falls	0.52
31414111	Hydro	Mud Creek/White	ID	Twin Falls	0.21
20150729	Hydro	North Gooding Main Hydro	ID	Lincoln	1.30
12616071	Hydro	Owyhee Dam Cspp	OR	Malheur	5.00
31615067	Hydro	Pigeon Cove	ID	Twin Falls	1.89
31415166	Hydro	Pristine Springs #1	ID	Jerome	0.10
31415167	Hydro	Pristine Springs #3	ID	Jerome	0.20
21415119	Hydro	Reynolds Irrigation	ID	Canyon	0.26
31615004	Hydro	Rock Creek #1	ID	Twin Falls	2.17
31615104	Hydro	Rock Creek #2	ID	Twin Falls	1.90
31515103	Hydro	Sagebrush	ID	Lincoln	0.43
31617100	Hydro	Sahko Hydro	ID	Twin Falls	0.50
41515122	Hydro	Schaffner	ID	Lemhi	0.53
11415010	Hydro	Shingle Creek	ID	Idaho County	0.22
31615158	Hydro	Shoshone #2	ID	Lincoln	0.58
31416002	Hydro	Shoshone CSPP	ID	Lincoln	0.36

Idaho Power Company
Renewable Energy Project List
as of 7/24/2018
For Projects in: ID, MT, OR

PURPA PROJECTS ONLINE

Project Number	Facility Type	Project Name	State	County	ProjectSize (MW)
31315021	Hydro	Snake River Pottery	ID	Gooding	0.07
31414075	Hydro	Snedigar	ID	Twin Falls	0.54
41717139	Hydro	Tiber Dam	MT	Liberty County	7.50
31415027	Hydro	Trout-Co	ID	Gooding	0.24
12616072	Hydro	Tunnel #1	OR	Malheur	7.00
31315029	Hydro	White Water Ranch	ID	Gooding	0.16
31715141	Hydro	Wilson Lake Hydro	ID	Jerome	8.40
Total Hydro Projects: 68					**147.12**
21615101	Wind	Bennett Creek Wind Farm	ID	Elmore	21.00
12618240	Wind	Benson Creek Windfarm	OR	Baker	10.00
31765170	Wind	Burley Butte Wind Park	ID	Cassia	21.30
31315050	Wind	Camp Reed Wind Park	ID	Elmore	22.50
31318100	Wind	Cassia Wind Farm LLC	ID	Twin Falls	10.50
21615115	Wind	Cold Springs Windfarm	ID	Elmore	23.00
21615120	Wind	Desert Meadow Windfarm	ID	Elmore	23.00
12618230	Wind	Durbin Creek Windfarm	OR	Baker	10.00
31315035	Wind	Fossil Gulch Wind	ID	Twin Falls	10.50
31765160	Wind	Golden Valley Wind Park	ID	Cassia	12.00
21615125	Wind	Hammett Hill Windfarm	ID	Elmore	23.00
31315130	Wind	High Mesa Wind Project	ID	Twin Falls/Elmore	40.00
41718140	Wind	Horseshoe Bend Wind	MT	Cascade	9.00
21615105	Wind	Hot Springs Wind Farm	ID	Elmore	21.00
12618220	Wind	Jett Creek Windfarm	OR	Baker	10.00
12618200	Wind	Lime Wind Energy	OR	Baker	3.00
21615130	Wind	Mainline Windfarm	ID	Elmore	23.00
31720190	Wind	Milner Dam Wind	ID	Cassia	19.92
31315075	Wind	Oregon Trail Wind Park	ID	Twin Falls	13.50
31315060	Wind	Payne's Ferry Wind Park	ID	Twin Falls	21.00
31315045	Wind	Pilgrim Stage Station Wind Park	ID	Twin Falls	10.50
12618210	Wind	Prospector Windfarm	OR	Baker	10.00
41455300	Wind	Rockland Wind Farm	ID	Power	80.00
21615135	Wind	Ryegrass Windfarm	ID	Elmore	23.00

Idaho Power Company
Renewable Energy Project List
as of 7/24/2018
For Projects in: ID, MT, OR

PURPA PROJECTS ONLINE

Project Number	Facility Type	Project Name	State	County	ProjectSize (MW)
31618100	Wind	Salmon Falls Wind	ID	Twin Falls	22.00
21615110	Wind	Sawtooth Wind Project	ID	Elmore	22.00
31315055	Wind	Thousand Springs Wind Park	ID	Twin Falls	12.00
31315065	Wind	Tuana Gulch Wind Park	ID	Twin Falls	10.50
31315150	Wind	Tuana Springs Expansion	ID	Twin Falls	35.70
21615140	Wind	Two Ponds Windfarm	ID	Elmore	23.00
12618245	Wind	Willow Spring Windfarm	OR	Baker	10.00
31315070	Wind	Yahoo Creek Wind Park	ID	Twin Falls	21.00
Total Wind Projects: 32					**626.92**

Idaho Power Company
Renewable Energy Project List
as of 7/24/2018
For Projects in: ID, MT, OR

PURPA PROJECTS UNDER CONTRACT NOT YET ONLINE

Project Number	Facility Type	Project Name	State	County	ProjectSize (MW)
12992535	Solar	Baker Solar Center	OR	Baker	15.00
12975375	Solar	Brush Solar	OR	Baker	2.75
12985329	Solar	Morgan Solar	OR	Malheur	3.00
20180124	Solar	Ontario Solar Center	OR	Malheur	3.00
12963059	Solar	Vale I Solar	OR	Malheur	3.00
Total Solar Projects: 5					**26.75**
20190301	Hydro	MC6 Hydro	ID	Ada	2.10
Total Hydro Projects: 1					**2.10**

OregonSolar PROJECTS ONLINE

Project Number	Facility Type	Project Name	State	County	ProjectSize (MW)
90001412	OR Solar	5th Ave Pivot	OR	Malheur	0.00
90001411	OR Solar	6th Ave Rental	OR	Malheur	0.01
90001311	OR Solar	7 kW Shaffer Solar	OR	Malheur	0.01
90000088	OR Solar	7.7 kW Irrigation	OR	Malheur	0.01
90000073	OR Solar	8.64 kW Home	OR	Malheur	0.01
90000001	OR Solar	Bauer Solar	OR	Malheur	0.01
90001416	OR Solar	Chamberlain Dairy	OR	Malheur	0.01
90001413	OR Solar	Chamberlain House	OR	Malheur	0.01
90000067	OR Solar	Circle M Farms	OR	Malheur	0.01
90000084	OR Solar	City of Ontario PV Array #2 - WWTP Building	OR	Malheur	0.01
90000080	OR Solar	City of Ontario PV Array #3 - WWTP Aerators	OR	Malheur	0.01
90000086	OR Solar	City of Ontario PV Array #4 - WWTP Lift Station	OR	Malheur	0.01
90000063	OR Solar	City of Ontario PV Array #5 - City Hall	OR	Malheur	0.01
90000062	OR Solar	City of Ontario PV Array #6 - Public Works Shop	OR	Malheur	0.01
90000059	OR Solar	City of Ontario PV Array #7 - WTP (East Building)	OR	Malheur	0.01
90000055	OR Solar	City of Ontario PV Array #8 - WTP (West Ponds)	OR	Malheur	0.01
90000072	OR Solar	City of Ontario PV Array #9 - Golf Clubhouse	OR	Malheur	0.01
90000028	OR Solar	Cliff and Pat Looney	OR	Malheur	0.01
90000079	OR Solar	Dean Mackey1 Main House - PV Array	OR	Malheur	0.01
90000077	OR Solar	Dean Mackey3 Irrigation Pump - PV Array	OR	Malheur	0.01
90000025	OR Solar	Findley Land and Livestock, LLC Irrigation	OR	Malheur	0.01

Idaho Power Company
Renewable Energy Project List
as of 7/24/2018
For Projects in: ID, MT, OR

OregonSolar PROJECTS ONLINE

Project Number	Facility Type	Project Name	State	County	ProjectSize (MW)
90000002	OR Solar	Findley Residence	OR	Malheur	0.01
90000075	OR Solar	Findley Shop	OR	Malheur	0.00
90000081	OR Solar	Findley Well	OR	Malheur	0.00
90000006	OR Solar	Gary T. Taylor	OR	Malheur	0.01
90001302	OR Solar	Green House	OR	Malhuer	0.01
90000076	OR Solar	Ham Piv	OR	Malheur	0.01
90000044	OR Solar	House	OR	Malheur	0.01
90001417	OR Solar	Jackie Hansen	OR	Malheur	0.01
90001415	OR Solar	Jake's House	OR	Malhuer	0.01
90000005	OR Solar	Kennington Dairy Solar	OR	Malheur	0.01
90000003	OR Solar	Luther Homestead	OR	Malheur	0.01
90000007	OR Solar	Luther Wetlands	OR	Malheur	0.01
90001306	OR Solar	Malheur County Fairgrounds #1	OR	Malheur	0.01
90001313	OR Solar	Malheur County Fairgrounds #2	OR	Malheur	0.01
90001315	OR Solar	Malheur County Fairgrounds #3	OR	Malheur	0.01
90001414	OR Solar	Michael McGourty	OR	Malheur	0.01
90001410	OR Solar	New House	OR	Malheur	0.01
90001312	OR Solar	Onion Storage	OR	Malheur	0.01
90000051	OR Solar	Pine Eagle High School PV Array	OR	Baker	0.01
90000064	OR Solar	Pine Eagle Middle School PV Array	OR	Baker	0.01
90000078	OR Solar	Pine Eagle Pump Station PV Array	OR	Baker	0.01
90000057	OR Solar	Pump 1	OR	Malheur	0.01
90000060	OR Solar	Pump 12	OR	Malheur	0.01
90000043	OR Solar	Pump 15	OR	Malheur	0.01
90001310	OR Solar	Pump 16	OR	Malheur	0.01
90000045	OR Solar	Pump 17	OR	Malheur	0.01
90000048	OR Solar	Pump 19	OR	Malheur	0.01
90000047	OR Solar	Pump 2	OR	Malheur	0.01
90000056	OR Solar	Pump 20	OR	Malheur	0.01
90000054	OR Solar	Pump 3	OR	Malheur	0.01
90000050	OR Solar	Pump 4	OR	Malheur	0.01
90000052	OR Solar	Pump 9	OR	Malheur	0.01

Idaho Power Company
Renewable Energy Project List
as of 7/24/2018
For Projects in: ID, MT, OR

OregonSolar PROJECTS ONLINE

Project Number	Facility Type	Project Name	State	County	ProjectSize (MW)
90001307	OR Solar	Pump A	OR	Malhuer	0.00
90000046	OR Solar	Pump B	OR	Malheur	0.01
90000061	OR Solar	Roger Findley	OR	Malheur	0.01
90001309	OR Solar	Schuster	OR	Malheur	0.01
90001303	OR Solar	Scott Piv	OR	Malheur	0.01
90001301	OR Solar	Shop	OR	Malheur	0.00
90000004	OR Solar	TVCC Livestock Center Solar Project	OR	Malheur	0.01
Total OR Solar Projects: 60					**0.46**

Non PURPA PROJECTS ONLINE

Project Number	Facility Type	Project Name	State	County	ProjectSize (MW)
10000003	Geothermal	Neal Hot Springs Unit #1	OR	Malheur	22.00
10000002	Geothermal	Raft River Unit #1	ID	Cassia	13.00
Total Geothermal Projects: 2					**35.00**
10000001	Wind	Elkhorn Wind Project	OR	Union	100.65
Total Wind Projects: 1					**100.65**

BEFORE THE

IDAHO PUBLIC UTILITIES COMMISSION

CASE NO. IPC-E-18-07

IDAHO POWER COMPANY

ATTACHMENT 3

Resource Type	Developer	Project	MW	State	Term	Estimated Obligation
Hydro	A	A1	4.7	ID	20	$21,855,781
	B	B1	2	OR	20	$4,907,799
Biomass	C	C1	48	ID	2	$23,436,186
Solar	D	D1	80	OR	20*	$149,759,594
		D2	50	OR	20*	$81,902,351
	E	E1	18	OR	20*	$37,682,058
		E2	9	OR	20*	$19,154,809
		E3	9	OR	20*	$18,436,133
		E4	9	OR	20*	$18,181,938
		E5	9	OR	20*	$18,083,795
		E6	9	OR	20*	$18,722,861
	F	F1	3	OR	20*	$6,975,817
	G	G1	300	ID	2	$39,293,162
	H	H1	45	OR	20*	$90,418,974
		H2	45	OR	20*	$90,418,974
Wind	I	I1	500	ID	2	$11,578,279
					TOTAL:	**$650,808,512**

Note: *Contract term is 20 years, however the estimated obligation is based on 15 years of fixed pricing. The remaining five years is based on an index price, which is not included in the estimated obligation

BEFORE THE

IDAHO PUBLIC UTILITIES COMMISSION

CASE NO. IPC-E-18-07

IDAHO POWER COMPANY

ATTACHMENT 4

Idaho Power Company
PURPA

Contract Obligations

Facility Type	Total	January 2018 thru December 2018	January 2019 thru December 2019	January 2020 thru December 2020	January 2021 thru December 2021	January 2022 thru December 2022	January 2023 thereafter
Solar	$1,035,723,633	$28,853,808	$30,717,202	$33,718,517	$38,172,963	$43,520,550	$860,740,593
Hydro	$307,199,906	$31,920,945	$31,614,509	$27,912,933	$26,282,993	$25,517,323	$163,951,204
Biomass	$158,946,762	$10,410,660	$11,612,238	$10,715,411	$9,896,815	$10,131,254	$106,180,384
Wind	$1,929,540,300	$107,971,800	$111,122,772	$114,180,448	$117,358,846	$118,493,694	$1,360,412,740
CoGen	$4,534,150	$3,875,031	$659,120	$0	$0	$0	$0
Thermal	$95,356	$4,189	$4,188	$4,188	$4,188	$4,188	$74,415
All Projects	$3,436,040,108	$183,036,432	$185,730,028	$186,531,497	$191,715,805	$197,667,009	$2,491,359,336

BEFORE THE

IDAHO PUBLIC UTILITIES COMMISSION

CASE NO. IPC-E-18-07

IDAHO POWER COMPANY

ATTACHMENT 5

	PURPA (Account 555)			Coal (Account 501)			Natural Gas (Account 547)			Non PURPA - Purchased (Account 555)			Surplus Sales (Account 447)		
Year	MWh	Expense	$/MWh	MWh	Expense	$/MWh	MWh	Expense	$/MWh	MWh	Expense	$/MWh	MWh	Expense	$/MWh
2013	2,126,644	$131,337,796	$61.76	6,326,861	$160,276,741	$25	1,576,463	$54,204,949	$34	1,775,217	$83,604,026	$47	(1,683,294)	($54,472,513)	$32.36
2014	2,286,451	$144,616,825	$63.25	5,850,665	$156,172,175	$27	1,174,857	$45,068,831	$38	1,865,403	$92,505,074	$50	(2,220,419)	($77,164,887)	$34.75
2015	2,008,416	$131,339,664	$65.39	4,676,370	$131,286,356	$28	2,075,731	$54,944,643	$26	1,780,518	$86,256,941	$48	(1,254,136)	($30,887,261)	$24.63
2016	2,314,182	$153,665,426	$66.40	4,045,173	$137,688,753	$34	1,721,540	$41,802,251	$24	2,016,618	$86,543,301	$43	(1,185,879)	($25,204,985)	$21.25
2017	2,799,843	$169,787,891	$60.64	3,284,013	$107,893,663	$33	1,503,310	$37,935,165	$25	1,493,773	$74,593,312	$50	(2,135,649)	($33,381,940)	$15.63
		Average:	$63.49		Average:	$29.40		Average:	$29.75		Average:	$47.60		Average:	$25.73