

BEFORE THE
PUBLIC UTILITY COMMISSION OF OREGON

UM 1733

In the Matter of)	
)	
GARDNER CAPITAL SOLAR DEVELOPMENT, LLC)	
)	
Complainant,)	STIPULATED MOTION TO
vs.)	WITHDRAW COMPLAINT AND
)	CLOSE DOCKET
IDAHO POWER COMPANY,)	
)	
Respondent.)	

Pursuant to OAR 860-001-0420, Gardner Capital Solar Development (“Gardner Solar”) and Idaho Power Company (“Idaho Power” and, collectively, “the Parties”) move the Public Utility Commission of Oregon (the “Commission”) to close the above captioned docket and allow Gardner Solar to withdraw its Complaint that was brought under the Public Utility Regulatory Policy Act (“PURPA”) and the Oregon statutes implementing PURPA. In that Complaint, Gardner Solar alleged that Idaho Power should be required to execute standard Energy Sales Agreements (“ESAs”) with current long-term standard avoided cost prices after Gardner Solar submitted requests for six separate applications for ESAs for Qualifying Facilities that it is developing in Oregon.

Since Gardner Solar filed its Complaint, the Parties have worked hard to resolve their dispute and reach a settlement under which Gardner Solar will sell and Idaho Power will purchase the generation output from Gardner Solar’s projects. Because the parties have resolved their differences under mutually agreeable terms, they request that the Commission issue an order allowing Gardner Solar to withdraw its Complaint and closing the above captioned docket.

Respectfully submitted this 30th day of October 2015.

FOLEY & LARDNER LLP

By Thomas McCann Mullooly
Thomas McCann Mullooly
Shao-Ying Mautner
Kurt R. Rempe
Foley & Lardner LLP
3000 K Street N.W. #600
Washington, DC 20007-5109

*Attorneys for Complainant – Gardner Capital Solar
Development, LLC*

IDAHO POWER COMPANY

Donovan Walker
Lead Counsel 1221 West Idaho Street
P.O. Box 70
Boise, Idaho 83707

Attorney for Respondent – Idaho Power Company