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August 17, 2016

VIA ELECTRONIC MAIL

PUC Filing Center
Public Utility Commission of Oregon
PO Box 1088
Salem, OR 97308-1088

Re: UE 301 – In the Matter of IDAHO POWER COMPANY’s 2016 Annual Power Cost Update

Attention Filing Center:

Attached for filing in the above-referenced matter is an electronic copy of Idaho Power Company’s Motion for Clarification.

Please contact this office with any questions.

Very truly yours,

Sharon Cooper
Legal Assistant

Attachment

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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 301

In the Matter of
IDAHO POWER COMPANY
2016 Annual Power Cost Update (APCU)

**IDAHO POWER COMPANY'S MOTION
FOR CLARIFICATION**

I. INTRODUCTION

Pursuant to ORS 756.561, OAR 860-001-0720, and OAR 860-001-0420, Idaho Power Company ("Idaho Power" or "the Company") files this Motion for Clarification of Order No. 16-284 issued in this proceeding on July 29, 2016.

II. BACKGROUND

On July 21, 2016, the Citizens' Utility Board of Oregon ("CUB") filed a Request for Payment of an Idaho Power Company Issue Fund Grant. The procedures for payment of Issue Fund Grants are governed by Section 7.2 of the Idaho Power Company and Citizens' Utility Board of Oregon Intervenor Funding Agreement ("2016-2020 Agreement"), adopted by the Commission in Order No. 16-046. CUB is automatically pre-certified to receive Issue Fund Grants under OAR 860-001-0120(3)(a) and under Section 5.1 of the Agreement. Per Article 2 of the 2016-2020 Agreement, the Agreement's Term began January 26, 2016, and continues until December 31, 2020.

Other than the dollar amount referenced, Section 4.3 of the 2016-2020 Agreement mirrors that of the preceding Idaho Power Company and Citizens' Utility Board of Oregon Intervenor Funding Agreement for the years 2010-2015, adopted by the Commission in Order No. 10-396. It states:

4.3 Rollover. A balance in either of the Fund accounts that is unused *in any year during the Term of the Agreement* will be carried over at the end of the calendar year and made

1 available for use in succeeding years, subject to the limitation
2 identified in this Section 4.3 (the "Rollover"). The amount of
3 the Rollover that may be used in any calendar year *during the*
4 *Term shall not exceed the Annual Grant amount* associated
5 with the applicable account set forth in Section 4.2 of this
6 Agreement. For example, no more than \$31,500 may be
7 rolled over in one year in Idaho Power's Issues Fund account.
8 (emphasis added)

9 On July 29, 2016, the Commission issued Order No. 16-284 approving CUB's
10 request for an Issue Fund grant of \$30,000 for expenses incurred in docket UE 301, Idaho
11 Power's 2016 Annual Power Cost Update. The Commission has also approved Issue
12 Fund grants this year for \$1,944 in docket UM 1719 (Order No. 16-281) and for \$7,784 in
13 docket LC 63 (Order No. 16-285).

14 III. DISCUSSION

15 A. The 2016-2020 Agreement Is Silent as to the Rollover of Amounts from 16 the 2010-2015 Agreement

17 Idaho Power wishes to comply with the Commission's Order No. 16-284 to pay
18 CUB the \$30,000 Issue Grant but does not want to deviate from the previously approved
19 2016-2020 Agreement without Commission authorization, either by using rollover funds
20 from the 2010-2015 Agreement that are outside of the Term of the 2016-2020 Agreement
21 or by paying amounts greater than the annual Issue Fund grant amount. The Issue Fund
22 year-end balances under the 2010-2015 and 2016-2020 Agreements are set forth in the
23 Attachment to this motion.

24 B. The Commission May Clarify its Order

25 From time to time, the Commission grants a party's request for clarification of an
26 aspect of a Commission order. In doing so, the Commission considers a party's request
for clarification (as distinguished from an application for reconsideration or rehearing) of an
issue central to the order, and exercises its best judgment and discretion in responding

1 with any clarification that it deems warranted or helpful.¹ Here, the issues raised by Idaho
2 Power are central to the order, and Idaho Power requires clarification as to how the
3 Commission intends that its order be implemented. Accordingly, the Commission should
4 grant Idaho Power's motion and issue an order clarifying that Idaho Power is authorized to
5 use rollover funds from the 2010-2015 Agreement to satisfy CUB's Issue Fund requests in
6 this and future cases until the 2010-2015 Agreement rollover funds are exhausted. The
7 Commission should also authorize Idaho Power to recover those amounts in the future
8 through a deferred account.

9 **IV. CONCLUSION**

10 For the reasons stated above, Idaho Power requests that the Commission issue an
11 order clarifying its Order No. 16-284 to provide that Idaho Power may use rollover
12 amounts from the 2010-2015 Agreement to satisfy CUB's Issue Fund requests in this and
13 future cases until the rollover amounts from 2010-2015 Agreement are exhausted. The
14 Commission should also authorize Idaho Power to recover those 2010-2015 Agreement
15 rollover amounts in the future through a deferred account.

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25 ¹ See, e.g., *In the Matter of Kootenai Electric Cooperative v. Idaho Power Company*, Order No. 14-
26 027 (2014) (granting Idaho Power's motion for clarification to clarify the appropriate avoided cost price to paid to Kootenai).

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Respectfully submitted this 17th day of August, 2016.

McDOWELL RACKNER & GIBSON PC



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IDAHO POWER COMPANY

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ISSUE FUND BALANCE UNDER CURRENT INTERVENOR FUNDING AGREEMENT

2010	2011	2012	2013	2014	2015
Issue Fund: \$ 30,000	Issue Fund: \$ 30,000	Issue Fund: \$ 30,000	Issue Fund: \$ 30,000	Issue Fund: \$ 30,000	Issue Fund: \$ 30,000
Previous Year Rollover: \$ 30,000	Previous Year Rollover: \$ 30,000	Previous Year Rollover: \$ 30,000	Previous Year Rollover: \$ 26,108	Previous Year Rollover: \$ 30,000	Previous Year Rollover: \$ 30,000
Order No. 11-437 \$ 10,500	Order No. 12-113 \$ 2,125 12-115 \$ 23,360 12-336 \$ 5,348 12-464 \$ 3,059	Order No. 13-289 \$ 7,088 13-313 \$ 2,356 13-468 \$ 4,840	Order No. 14-011 \$ 8,334 14-172 \$ 8,334 14-228 \$ 11,401	Order No. 15-173 \$ 16,215 15-252 \$ 3,000	Order No. 15-173 \$ 16,215 15-252 \$ 3,000
Year-End Balance: \$ 30,000	Year-End Balance: \$ 49,500	Year-End Balance: \$ 26,108	Year-End Balance: \$ 41,823	Year-End Balance: \$ 31,931	Year-End Balance: \$ 40,785

Current Agreement	Proposal
2016	2016
Issue Fund: \$ 31,500	Issue Fund: \$ 31,500
Previous Year Rollover: \$ -	Previous Year Rollover: \$ 30,000
Order No. 16-281 \$ 1,944 16-284 \$ 30,000 16-285 \$ 7,784	Order No. 16-281 \$ 1,944 16-284 \$ 30,000 16-285 \$ 7,784
Current Balance: \$ (8,228)	Balance: \$ 21,772