

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**
3 LC 78

4 In the Matter of
5 IDAHO POWER COMPANY,
6 Integrated Resource Plan.

**STAFF REPLY TO IDAHO POWER
COMMENTS REGARDING STAFF
REQUEST FOR WAIVER OF
OAR 860-027-0400(5)**

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8 Idaho Power Company (Idaho Power or Company) filed an Integrated Resource Plan
9 (IRP or Plan) filing on December 30, 2021. On February 17, 2021, Staff of the Oregon Public
10 Utility Commission (Staff) filed a request for the waiver of the requirement in OAR 860-027-
11 0400(5) that Staff and parties file comments and recommendations regarding the IRP within six
12 months of the date Idaho Power made its IRP filing on December 30, 2021, and to establish
13 October 17, 2022, as the deadline for “opening comments.”¹

14 Idaho Power Company filed a response to Staff’s motion to extend the OAR 860-027-
15 0400(5) deadline for comments, noting that while it did not object in general to an extension of
16 time for Staff comments, it did object to the length of the delay proposed by Staff. Idaho Power
17 offered to work with Staff to find a compromise schedule that would be acceptable to all parties.

18 Following Idaho Power’s response, counsel for Staff clarified that Staff was asking to
19 establish October 17, 2022, as the due date for the Staff Public Meeting Memorandum that
20 contained Staff’s final comments and recommendation for acknowledgement regarding Idaho
21 Power’s IRP rather than “opening comments” as stated in Staff’s Motion.² Typically, the Staff

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23 ¹ Staff makes this request pursuant to OAR 860-027-0400(1), which provides that the
Commission may relieve any entity of any obligation imposed by OAR 860-027-400 for good
cause shown.

24 ² OAR 860-027-0400(5) provides, “Commission staff and parties must file their comments and
25 recommendations within six months of IRP filing.” It is not completely clear whether this
26 requirement applies to any comments and recommendations filed in an IRP, or the final
comments and recommendations. However, Staff anticipates asking for a due date for opening
comments in July 2022 during the prehearing conference. Because all the proposed due dates for

1 Public Meeting Memorandum is filed toward the very end of the IRP review process, a few
2 weeks before the Commission Public Meeting at which the Commission considers whether to
3 acknowledge the utility's IRP. Accordingly, if Staff were to file its Public Meeting
4 Memorandum on October 17, 2022, and this docket followed the usual pattern and timing for
5 IRPs, Idaho Power could expect to a final Commission order on its IRP in November 2022.

6 Upon learning that the October 17, 2022 extension that Staff is seeking is for the Public
7 Meeting Memorandum, which is filed almost at the end of the process as opposed to the Staff
8 opening comments usually filed with two months or so of the filing date of the IRP, Idaho Power
9 notified Staff that it withdraws its objection to Staff's requests.

10 Staff and Idaho Power have continued to confer regarding the procedural schedule in this
11 docket. Both Idaho Power and Staff support a due date for the Public Meeting Memorandum
12 sometime in October 2022. Given that Idaho Power does not oppose the requested waiver of the
13 six-month deadline in OAR 860-027-0400(5), Staff no longer thinks it is necessary for the ALJ
14 to establish the due date for the Public Meeting Memorandum in advance of a prehearing
15 conference in this matter with opportunity for input from all parties. Accordingly, Staff
16 withdraws its request to establish October 17, 2022, as the due date for the Staff Public Meeting
17 Memorandum. Instead, Staff asks only that the ALJ (1) issue an order waiving the requirement
18 in OAR 860-027-0400(5) that Staff and parties file comments and recommendations within six

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25 comments are in this proceeding are after the six-month deadline, Staff asks for a waiver of OAR
860-027-0400(5).

1 months of the date Idaho Power filed its IRP, and 2) schedule a prehearing conference in this
2 docket sometime in March to establish a procedural schedule

3 DATED this 4th day of March, 2022.

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5 Respectfully submitted,

6 ELLEN F. ROSENBLUM
7 Attorney General

8 */s/ Stephanie S. Andrus*

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10 Stephanie S. Andrus, OSB No. 925223
11 Sr. Assistant Attorney General
12 Of Attorneys for Staff of the Public Utility
13 Commission of Oregon
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