

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 LC 78

4 In the Matter of)
5 IDAHO POWER COMPANY,) MOTION FOR WAIVER UNDER OAR
6 2021 Integrated Resource Plan (IRP).) 860-027-0400(1) and EXTENSION OF
7) TIME.

8 Idaho Power Company (Idaho Power or Company) filed an Integrated Resource Plan
9 (IRP or Plan) filing on December 30, 2021. The Plan is missing a key appendix (Appendix D)
10 that Idaho Power originally stated would be filed by the end of Q1 2022, but now states will be
11 filed mid-February 2022. Staff of the Oregon Public Utility Commission (Staff) seeks a waiver
12 of the requirement in OAR 860-027-0400(5) that Staff and parties file comments and
13 recommendations regarding the IRP within six months of the date Idaho Power made its IRP
14 filing on December 30, 2021.¹ Further, because Staff has Staffing constraints and a large
15 volume of utility matters to address in 2022, Staff asks that the Commission issue an order
16 specifying the due date for opening comments regarding Idaho Power's IRP is Monday, October
17 17, 2022. Staff also asks that the Commission delay the scheduling of any scheduling
18 conference to set the remainder of the schedule until the end of April, 2022, when the Case
19 Manager will be able to turn her full attention to this matter.

20 Staff has contacted parties to LC 78 regarding this request. Idaho Power opposes the
21 request. No other party opposes the request for extension.

22 **Background**

23 Idaho Power made the IRP filing on December 30, 2021, along with an application

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

1 seeking acknowledgement. In its application and IRP filing, Idaho Power explained that the IRP
2 was missing a “Transmission Supplement” titled Appendix D but that it intended to file
3 Appendix D by the end of the first quarter of 2022. In January, Idaho Power filed a letter on
4 January 14, 2021, changing the expected filing date for Appendix D to mid-February.

5 It is not clear that Idaho Power’s December 30, 2021 filing is a complete IRP that triggers
6 the six-month comment period established in OAR 860-027-0400(5) because the missing
7 Appendix D is integral the entire IRP. However, rather than attempting to establish whether
8 Idaho Power’s December 30, 2021 filing is complete, Staff asks the Commission to waive the
9 requirement that Staff and party comments be filed within six months of the December 30, 2021
10 filing.

11 **A. There is good cause to delay the six-month comment period.**

12 Even a cursory review of Idaho Power’s December 30, 2021 filing reflects that
13 assumptions regarding B2H are integral to Idaho Power’s Plan. In its application for
14 acknowledgment of the IRP filed on December 30, Idaho Power asserts that “[a] fundamental
15 goal of the IRP process is to identify a selected, or preferred, resource portfolio. The Preferred
16 Portfolio identifies resource options and timing to allow Idaho Power to continue to reliably
17 serve customer demand, balancing cost and risk over the 2021 to 2040 planning period.”² Idaho
18 Power states that it produced optimized portfolios and compared them in a variety of different
19 scenarios. Based on all these comparisons and analysis, Idaho Power selected a portfolio with
20 the proposed Boardman to Hemingway (B2H) Transmission Line as its Preferred Portfolio.”³
21 Furthermore, Idaho Power’s 2021 Action Plan includes energizing the B2H in 2026.

22 Idaho Power’s ownership interest in B2H has changed significantly in the last few weeks.
23 Idaho Power explains:

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26 ² Idaho Power Application seeking acknowledgment of 2021 IRP, pp. 7-8.

³ Id., p. 9.

1 Idaho Power in the 2021 IRP requests acknowledgement of B2H based on the
2 company owning 45% of the project. This ownership share, which represents a
3 change from Idaho Power's 21% share in the 2019 IRP, is the result of negotiations
4 among Idaho Power, PacifiCorp, and Bonneville Power Administration (BPA).
5 Under such a structure, Idaho Power would absorb BPA's previously assumed
ownership share in exchange for BPA entering into a transmission service
agreement with Idaho Power. This arrangement, along with many other aspects of
B2H, will be detailed in Appendix D, which will be filed during the first quarter of
2022.⁴

6 The details of the change in ownership and the agreement between Idaho Power and other
7 participants will be presented in Appendix D. Accordingly, neither Staff nor any party can
8 properly vet the assumptions that underlie Idaho Power's selection of its preferred portfolio until
9 Appendix D is filed.

10 **B. Staffing constraints leave Staff unable to begin reviewing Idaho Power's IRP until the**
11 **end of April 2022.**

12 The Case Manager in charge of the review of Idaho Power's IRP is currently the Case
13 Manager for PacifiCorp's Application for Approval of 2022 All-Source Resource Request for
14 Proposals, docketed as UM 2193, as well as the Rulemaking Regarding Certificate of Public
15 Convenience and Necessity Rule, docketed as AR 626, and is part of the Staff team working on
16 many other dockets. Further, other Staff that will be working on Idaho Power's IRP are also
17 currently engaged in many other pending dockets, including two requests to waive Competitive
18 Guideline Rules filed by Idaho Power Company (Docket Nos. UM 2226 and UM 2210).

19 Given time constraints in other dockets, Staff is unable to prioritize work in Idaho
20 Power's IRP over other dockets. Staff is unaware of any pending deadlines or decision dates that
21 Idaho Power has with respect to resource acquisition that will be affected by extending the
22 review period for this IRP.⁵ It is Staff's understanding that the Company may be concerned that
23 delaying the processing of this IRP could be problematic because of they intend to begin on their
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25 ⁴ *Idaho Power's letter re: Boardman to Hemingway Transmission Line Project*; filed by Lisa
26 Rackner (January 19, 2022).

1 next IRP. To the extent this is true, Staff disagrees that a delay in this docket is problematic
2 because the Company is free to initiate their next IRP prior to acknowledgement of this IRP.

3 Idaho Power's opposition to Staff's request to extend the procedural schedule in this case
4 by approximately eleven weeks is inconsistent with the flexibility in timing given to Idaho Power
5 with respect to its 2019 IRP docketed as LC 74. Idaho Power filed its 2019 IRP on June 29,
6 2019. Less than one month later, Idaho Power sent a letter to the Administrative Hearings
7 Division (AHD) asking AHD to "refrain from establishing a procedural schedule" to allow Idaho
8 Power additional time to perform "substantial and time consuming" supplemental analysis.⁵
9 Idaho Power indicated it would file the supplemental analysis approximately three and one-half
10 months later on October 31, 2019. No party objected to Idaho Power's request.

11 On October 28, 2019, Idaho Power notified AHD it required additional time to file its
12 supplemental analysis and reported it would make the filing on November 9, 2019.⁶ No party
13 objected to the request. On November 8, 2019, Idaho Power submitted a third letter requesting
14 an extension to file its supplemental analysis, indicating it would file the supplemental analysis
15 no later than January 31, 2020.⁷ No party opposed Idaho Power's request. Idaho Power filed an
16 Amended IRP Application on January 31, 2020.

17 Approximately five months later, Idaho Power filed a request to suspend the procedural
18 schedule "to allow time for Idaho Power to conduct a comprehensive review of the Company's
19 Integrated Resource Plan (IRP) modeling."⁸ No party objected to Idaho Power's request. Idaho
20 Power subsequently filed another amended IRP on October 2, 2020.

22 ⁵ *Idaho Power's Request to refrain from setting a procedural schedule*; filed by Lisa D.
23 Nordstrom (July 19, 2019).

24 ⁶ *Idaho Power Company's second Letter Regarding Procedural Schedule*; filed by Lisa D.
25 Nordstrom. (October 28, 2019).

26 ⁷ *Idaho Power Company's third Letter Regarding Procedural Schedule*; filed by Lisa D.
Nordstrom (November 8, 2019).

⁸ *Idaho Power Company Motion to Suspend Procedural Schedule*; filed by Lisa Rackner (July 1,
2020).

1 Staff is disappointed that Idaho Power opposes Staff's request for an additional three and
2 one-half months for parties to file opening comments in this matter given the flexibility in timing
3 afforded Idaho Power in its last IRP. Despite Idaho Power's opposition however, Staff requires
4 the additional time to complete its analysis of Idaho Power's 2021 IRP. Accordingly, Staff asks
5 that the Commission delay the date for opening comments to October 17, 2022.

6 Staff has conferred with the other parties to the docket, as well STOP B2H, which has been
7 an active participant in previous Idaho Power IRPs and no other party objects to Staff's request.

8 **C. Conclusion.**

9 For the reasons stated above, Staff asks for (1) a waiver of the requirement in OAR 860-
10 027-0400(5) that Staff and party comments be filed within six months of the December 30, 2021
11 filing by Idaho Power, (2) an October 17, 2022 due date for opening comments regarding Idaho
12 Power's IRP, and (3) a Prehearing Conference to establish the remainder of the procedural
13 schedule in late April 2022.

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15 DATED this 17th day of February, 2022.

16 Respectfully submitted,

17 ELLEN F. ROSENBLUM
18 Attorney General

19 */s/ Stephanie Andrus*

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Stephanie Andrus, OSB No. 925123
21 Sr. Assistant Attorney General
22 Of Attorneys for Staff of the Public Utility
23 Commission of Oregon
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