

IDAHO DATA CENTER PUBLIC GUIDE · GUIDE 1 OF 9

YOUR POWER BILL AND BIG CUSTOMERS

Who Pays When a Data Center Falls Through

Idaho Power builds lines and buys power for a data center before it pays a single bill. If the data center leaves early, somebody covers what's left. This guide shows who, and how to keep it from being you.

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AT A GLANCE

The short version

When a data center signs up with Idaho Power, Idaho Power starts spending money on it right away: new substations, new lines, long-term deals to buy power. The data center pays that back slowly through its monthly bills over many years. If it leaves early, the rest of that money is still owed. The data center's contract with Idaho Power decides who pays it. A strong contract makes the data center pay. A weak one leaves the rest for regular customers, through higher rates. You can't read most of that contract. Meta's deal for its campus near Boise was filed with the key parts kept secret. A new Idaho law, in force since July 1, 2026, makes big new customers pay their own way and put up a deposit. It doesn't say how big the deposit has to be. That gets decided case by case, and the public can weigh in.

664,214
Idaho Power customers at the end of 2025. A leftover cost gets spread across them.

About $60
per customer for every $40 million a data center leaves unpaid, if it were split evenly

July 1, 2026
the date Idaho's new law on big power customers took effect

Dec. 14
deadline to comment on how Idaho Power splits the cost of growth (case IPC-E-26-07)

Inside this guide

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How to read the numbers

LAW means what a law or official order requires. FILING means what a company told regulators, a claim and not a finding. NEWS means a named news report or company announcement. EXAMPLE means our math with made-up round numbers to show how it works, not any real project.

HOW THIS GUIDE WAS CHECKED

Every fact here traces to a law, a commission order, a company filing or a named news report, and every calculation was rerun. Dates and votes were rechecked with the Idaho Legislature and the Public Utilities Commission in November 2026. Open cases are snapshots as of Nov. 9, 2026. The customer count is from Idaho Power's 2025 annual report.

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PART 01

How a data center's unpaid costs reach your bill

Think of it like co-signing a loan. Idaho Power spends the money up front. The data center is supposed to pay it back. If it doesn't, the co-signers are everyone else on the system.

Step	What happens
1	A data center signs up. Idaho Power builds a substation and lines for it and signs long-term deals to buy power.
2	The data center opens smaller than planned, stalls, or shuts down early.
3	Idaho Power still owes for what it built and bought. At its next rate case, it asks to collect that money.
4	The utility commission decides who pays: the data center, Idaho Power's owners, or all customers through higher rates.

Step 4 is where you get hit, and it can come years after the contract was signed. By then the terms are locked in. The time to ask questions is when the contract is first approved.

What's supposed to protect you

Three things in the data center's contract. A **minimum payment** makes the data center pay for a set amount of power each month even if it uses less. An **exit fee** makes it pay when it leaves early. A **deposit or guarantee** from its parent company backs both promises if the data center goes broke or simply walks away.

Each one can be too small or too short. A minimum payment can end years before the line it paid for is paid off. A guarantee can be capped far below the real cost. And a minimum payment that starts only when the data center turns on does nothing during construction delays, when Idaho Power has already spent the most.

One example, start to finish

These are made-up round numbers so the math is easy to follow. They are not Meta's numbers, which are secret. Say a large data center signs up, and Idaho Power builds and buys **$150 million** worth of lines, equipment and power contracts to serve it. Three years later, the data center leaves.

	Amount
Still owed on what Idaho Power built and bought	**$150 million**
Idaho Power gets some back by reusing equipment and reselling power	**− $45 million**
The data center pays its exit fee	**− $65 million**
Left over, and headed for everyone's rates	**$40 million**

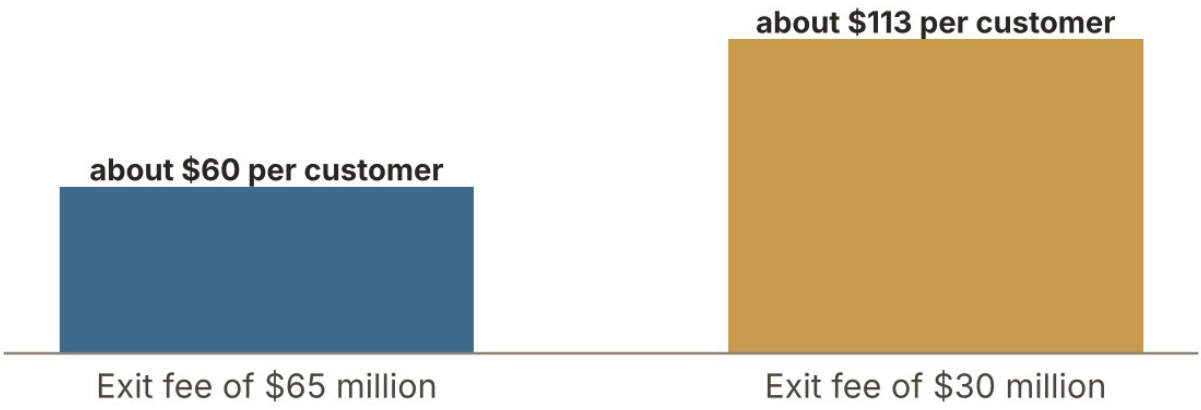
EXAMPLE. Made-up round numbers.

Spread over Idaho Power's 664,214 customers, $40 million is about **$60 each**. If the exit fee in the contract had been $30 million instead of $65 million, the leftover would be $75 million, or about **$113 each**. Households would likely pay above that average, because they are 84 percent of customers and the commission splits costs partly by how many customers are in each group.

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EXAMPLE · Your share of the leftover, depending on one line in the contract



Leftover cost divided evenly across 664,214 Idaho Power customers. Made-up round numbers.

PART 02

Meta's campus near Boise

Meta's contract was approved in 2023, before the new law. It's the deal Idaho Power customers live with now.

When	What happened	Type
Dec. 2021	Idaho Power asks the commission to approve a special contract for Meta's project.[1]	FILING
Dec. 2022	Meta pauses construction to redesign the campus.[2]	NEWS
May 2023	The commission approves the contract with changes. The key terms are filed as confidential.	LAW
Sept. 2026	Meta says the campus is online, with more than $1.2 billion invested.[3]	NEWS
Sept. 2026	Idaho Power asks to make Meta's contract stricter (case IPC-E-26-25). Still open.	FILING

In 2023 Idaho Power told the commission the Meta deal would save other customers **$17.8 million** over ten years. The commission's own staff said that estimate leaned on one set of guesses and wasn't enough to go on.[4]

Under the 2023 contract, Meta's monthly minimum is based on a flat 20 megawatts, however much power it reserved.[5] In September 2026 Idaho Power asked to make Meta pay for at least 90 percent of that power every month for ten years, and to back the promise with stronger financial guarantees.[6] That's a real improvement. It also tells you the original deal was looser than it should have been.

PART 03

[1] Idaho Public Utilities Commission (IPUC), Order No. 35777, Case IPC-E-21-42, May 11, 2023, p. 1.

[2] BoiseDev, Dec. 20, 2022; Meta, "Ramping up construction," Oct. 12, 2023.

[3] Meta, campus launch announcement, Sept. 3, 2026; M. Dee, Idaho Statesman, Sept. 4, 2026.

[4] IPUC Order No. 35777, pp. 8–10, 17–19.

[5] Idaho Power Schedule 33, sheet 33-3.

[6] Idaho Power application, Case IPC-E-26-25, Sept. 2026, pp. 3–7.

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What the 2026 law fixed, and what it didn't

House Bill 911 passed the Legislature by wide margins and took effect July 1, 2026.[7] For new contracts, any business adding 50 megawatts or more has to get its contract approved before the power is turned on. It has to show it won't raise other customers' rates, pay its share of the plants and lines built for it, and put up a deposit. Splitting a project into smaller pieces to get under 50 megawatts is banned.

The law has edges. It covers only utilities the PUC regulates, so a data center served by a co-op or a city-owned utility falls outside it, and so does a campus that builds its own power plant and never signs a utility contract. Contracts signed before July 1, 2026, like Meta's, aren't covered either. Guide 8 walks through each gap.

On power, Idaho has more company. Nobody keeps one agreed count. Clean Energy Group's July 2026 tally lists eight states with laws that make data centers and other big customers carry their own power costs: Florida, Minnesota, New Jersey, Oklahoma, Oregon, South Dakota, Tennessee and Texas. MultiState adds Alabama and Nebraska. Most states still have nothing like it on the books, though some handle it through their utility commissions instead.[8]

What it left open

- **How big the deposit must be.** The law says "reasonably sufficient." The commission decides each time.
- **Older deals.** Meta's 2023 contract came before the law.
- **Secrecy.** Contracts can still be filed with the important parts hidden.

Idaho has already shown it can write a tough contract. When the commission approved Micron's new chip plant contract in May 2026, it required minimum payments, exit fees, deposits and customer-paid hookups, and told Idaho Power to come back if other customers started carrying Micron's costs.[9] Every data center deal should meet that bar, in public.

PART 04

Other states learned this the hard way

In states further into the data center boom, promised customers have shrunk or walked away.

State	What happened
Ohio	More than 30,000 megawatts of data center "interest" shrank to 5,642 megawatts once companies had to sign contracts and put money down.[10] That's about four of every five new megawatts gone. Another 12,219 megawatts had signed contracts before the new rules.
Georgia	Regulators' staff found 33 data center projects dropped out of Georgia Power's plans after 2023.[11] The state approved new power plants anyway.
Virginia	Two developers walked away from a giant data center project in 2026 after a court threw out its zoning.[12]

[7] Idaho Legislature, H.B. 911 (2026), Idaho Code § 61-335. House 65–3, Senate 34–1; signed Apr. 10, 2026.

[8] IPUC Final Order No. 37039, Case IPC-E-24-44, May 8, 2026, pp. 2–4, 15–16.

[9] AEP Ohio, PUCO data center load update, Feb. 13, 2026.

[10] Georgia PSC Staff testimony (Trokey, Drugan, Pol), Dockets 56298/56310, Nov. 2025.

[11] Compass Datacenters statement, Apr. 29, 2026; Virginia Business, July 6, 2026.

[12] Idaho Code §§ 67-6509, 67-6512.

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Idaho Power is planning new lines and plants around a list of big customers right now. If Ohio is any guide, a lot of that list won't show up. The deposit is what stands between that bet and your bill.

PART 05

Who says yes to a data center, and when you can speak up

A data center needs several yeses from several offices. Some happen in public. Some don't.

The question	Who decides	Do you get a say?
Can it be built on that land?	Your **county** (or city, if it's inside city limits)	**Yes.** There must be a public hearing, a notice in the paper at least 15 days ahead, and letters to neighbors within 300 feet.[13]
Will Idaho Power serve it, and on what terms?	The **Idaho Public Utilities Commission**, for anything 50 megawatts or bigger	**Yes.** Anyone can send a written comment. Some contract terms are kept secret.
Where does the cooling water come from?	The Idaho Department of Water Resources and the local water system. Since July 1, 2026, a data center that starts construction on or after that date can't use up water for cooling unless a city, water district or water and sewer district system supplies it (Idaho Code § 42-252).	Sometimes. Water right changes are published and can be protested.
Can it run backup diesel generators?	The **Idaho Department of Environmental Quality**	Often. Many air permits have a comment period.

How the power plants and lines for it get approved

The data center itself doesn't need a permit from the utility commission. The things Idaho Power builds to serve it sometimes do. There are two paths.

Everyday equipment: build now, review later. Substations and power lines inside Idaho Power's own territory don't need permission in advance.[14] Idaho Power builds them, then asks to add the cost to everyone's rates at its next **rate case**. That is the first time anyone checks whether the money was well spent, and by then the equipment is already built.

Big new power plants and major lines: ask first. These need a permit called a **Certificate of Public Convenience and Necessity** before construction starts. Idaho Power has to show the commission it can pay for the project, is acting in good faith, and that the public needs it.[15] Anyone can send a written comment before the deadline the commission announces.

[13] Idaho Code § 61-526 (no certificate needed for extensions "in the ordinary course of business").

[14] Idaho Code § 61-526; IPUC Order No. 36817 (Oct. 28, 2025), pp. 4–5.

[15] IPUC Final Order No. 36958, Case IPC-E-25-29, Mar. 10, 2026, pp. 4–5, 8–9.

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THE PERMIT ISN'T THE BILL

In March 2026 the commission let Idaho Power add gas engines at its Bennett Mountain plant near Mountain Home. One group argued the power shortage behind the request came from big new customers, including a proposed data center that had no signed contract. The commission approved the permit. It also said it was not deciding whether the cost was reasonable. That waits for a future rate case, after the plant is built.[16]

So speak up twice. When the permit comes up, ask whether the plant is for today′s customers or for big new ones without signed contracts. When the rate case comes up, ask who should pay for it.

[16] Quorum, Oct. 26, 2026; Clean Energy Group, "States are stepping up to protect households from rising energy bills due to data centers," 2026; Edison Electric Institute tariff count as reported by Environment+Energy Leader, 2026; MultiState, June 4, 2026.

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PART 06

What you can do

WHERE WE STAND

The company that causes the cost pays the cost. No discounted rates for data centers, no public money for one company's substation or line, and a deposit big enough to cover the worst case. If a data center is a good deal, it can afford to sign that.

Comment in the two open cases

Go to **puc.idaho.gov**, search the case number and use the comment form. Give your name and town. Commissioners must consider every comment. **IPC-E-26-07** decides how the cost of growth gets split between households and big users (comments due Dec. 14, 2026). **IPC-E-26-25** is Idaho Power's request to make Meta's contract stricter.

Questions to ask, out loud and in writing

- ☐ When does the data center start paying: when it signs, while it's being built, or only when the power comes on?
- ☐ How big is its deposit, and when does it run out?
- ☐ If the project is cancelled, who pays back what Idaho Power already spent?
- ☐ Will the public get a plain-English summary of the secret parts of the contract?
- ☐ Then ask your legislators to close the two gaps the 2026 law left: the size of the deposit and the secrecy of the contracts.

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PART 07

Words to know

Deposit or guarantee. Money or a promise from a parent company that covers the bill if the customer can't or won't pay. Also called financial security or a letter of credit.

Exit fee. Money a customer owes for leaving its contract early.

Large load. A customer that uses a huge amount of power, like a data center or chip plant.

Megawatt (MW). A unit of power. One megawatt running all year is roughly what several hundred homes use.

Minimum payment. A promise to pay for a set amount of power each month, even if less is used. Also called a minimum bill or take-or-pay.

Rate case. The process where the utility commission decides how much Idaho Power may collect and how the bill is split among customers.

Rate base. What Idaho Power has built and is allowed to charge customers for over time.

Certificate of Public Convenience and Necessity. Permission the commission must give before Idaho Power builds a major new plant or line.

Stranded cost. Money spent for a customer that the customer never pays back.

Utility commission. The Idaho Public Utilities Commission: three appointed commissioners who set power rates and approve contracts.

Where to look it up

Idaho Public Utilities Commission puc.idaho.gov Look up any case, read the filings and send a comment.

Idaho Code § 61-335 legislature.idaho.gov The 2026 law on big power customers.

Idaho Code § 61-526 legislature.idaho.gov The law on Certificates of Public Convenience and Necessity.

Your legislators legislature.idaho.gov (Who's my legislator?) Find your two House members and your senator.

Revision history

Revision	Date	What changed
Rev. 1	Nov. 2026	First public edition. Data checked against the source research papers and original records.
Rev. 2	Nov. 2026	Reviewed against Idaho's 2026 laws in force July 1 (H.B. 895 and H.B. 911) and the failed H.B. 897.
Rev. 3	Nov. 9, 2026	Rewritten in plain language for general readers. States plainly that "the customer" in a contract is the data center, not the household. One worked example replaces the technical charts. Added Part 05 on who approves a project and the power built for it, including Certificates of Public Convenience and Necessity. Series expanded to six guides. Revision history added.
Rev. 4	Nov. 9, 2026	Layout check. A trial page watermark was removed. Earlier versions moved to the Old Revisions folder.
Rev. 5	Nov. 10, 2026	Tied the water and power sections to the laws in force since July 1, 2026 (H.B. 895 and H.B. 911), added the gaps in H.B. 911 and how Idaho compares with other states. Removed a company name from the cover and footer.
Rev. 6	Nov. 16, 2026	Fact-check against primary sources and a ChatGPT cross-check. Replaced the unsupported 'about 15 states' count with Clean Energy Group's eight and MultiState's two. Noted the 12,219 MW AEP Ohio signed before its new rules. Series is now nine guides. Straight quotes throughout.
v7	Nov. 22, 2026	Cross-guide review against bill texts, bill histories and primary sources. Water law wording now matches Idaho Code § 42-252 (consumptive use; city, water district or water and sewer district). Votes, dates, AEP Ohio, Georgia staff and Digital Gateway items reconfirmed. Version and date stamp added to every page.

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PART 08

Sources

Short citations appear as footnotes on each page. Full references follow. Open cases are snapshots as of November 9, 2026.

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