

**IDAPA 31
TITLE 21
Chapter 02**

**31.21.02 - INFORMATION TO CUSTOMERS OF GAS, ELECTRIC,
AND WATER PUBLIC UTILITIES**

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RULES 0 THROUGH 100—INTRODUCTION**000. LEGAL AUTHORITY (Rule 0).**

These rules are adopted under the general legal authority of the Public Utilities Law, Chapters 1 through 7, Title 61, Idaho Code, and the specific authority of Sections 61-301, 61-302, 61-303, 61-315, 61-503, 61-507, and 61-520, Idaho Code, with regard to service. (7-1-93)

001. TITLE AND SCOPE (Rule 1).

The name of this chapter is “Information to Customers of Gas, Electric, and Water Public Utilities”. This chapter has the following scope: All gas, electric, and water public utilities are required to provide information to their customers as required by these rules. (7-1-93)

002. WRITTEN INTERPRETATIONS--AGENCY GUIDELINES (Rule 2).

For rulemakings conducted before July 1, 1993, written interpretations to these rules in the form of explanatory comments accompanying the order of proposed rulemaking and review of comments submitted in the order adopting these rules are maintained in the files of the Secretary of the Idaho Public Utilities Commission and are available from the office of the Commission Secretary. The Commission Secretary may be contacted in writing at the Idaho Public Utilities Commission, PO Box 83720, Boise, Idaho 83720-0074, or may be reached by telephone at (208) 334-0300. For rulemakings conducted after July 1, 1993, written interpretations to these rules in the form of explanatory comments accompanying the notice of proposed rulemaking that originally proposed the rules and review of comments submitted in the rulemaking decision adopting these rules are published in the issues of the Idaho Administrative Bulletin proposing or adopting the rules. (7-1-93)

003. ADMINISTRATIVE APPEALS (Rule 3).

There are no administrative appeals under these rules because there are no proceedings under these rules. (7-1-93)

004. PUBLIC RECORDS ACT COMPLIANCE (Rule 4).

All correspondence with regard to these rules is a public record subject to inspection, examination, and copying. (7-1-93)

005. DEFINITIONS (Rule 5).

The terms “electrical corporation,” “gas corporation,” and “water corporation” have the meanings given to them by statute in Chapter 1, Title 61, Idaho Code and orders of the Idaho Public Utilities Commission and decisions of the Supreme Court of Idaho construing those statutes. (7-1-93)

006. CITATION (Rule 6).

The official citation of these rules is IDAPA 31.21.02.000 et seq. For example, this rule is cited as IDAPA 31.21.02.006. In documents submitted to the Commission or issued by the Commission, these rules may be cited by their short title of Utility Customer Information Rules (UCIR) and the parenthetical rule number. For example, this rule may be cited as UCIR 6.

(7-1-93)

007. EFFECTIVE DATE--HISTORY OF RULES (Rule 7).

The Commission has adopted predecessors to these rules in 1980. They were most recently codified at IDAPA 31.C.10. They were readopted and reformatted by rulemaking decision in Docket Number 31-2102-9301, effective July 1, 1993. The history of rulemaking proceedings preceding the initiation of the publishing of the Idaho Administrative Bulletin and the Idaho Administrative Code is available from the Commission Secretary.

(7-1-93)

008. -- 100. (RESERVED).**RULES 101 THROUGH 200--INFORMATION TO CUSTOMERS OF GAS,
ELECTRIC, AND WATER UTILITIES****101. EXPLANATION OF RATE SCHEDULE (RULE 101).**

Each gas, electric, and water utility subject to these rules shall transmit annually to each of its customers and give to each new customer at the time of initiation of service a clear and concise explanation of the existing rate schedule for the class of services selected by that customer.

[Adopted, O.N. 15518; recodified, O.N. 17744; amended, G.O. 177.]

(7-1-93)

Cross-Reference: Rules 31.21.01.005, 31.21.01.201.

102. NOTICES TO CUSTOMERS OF PROPOSED CHANGES IN RATES (RULE 102).

01. Customer Notice of General Rate Cases and Tracker Rate Cases. Each gas, electric, and water utility that applies for a general or tracker rate change shall give to each customer a statement (customer notice) announcing the utility's application. If the utility is requesting a rate increase, the customer notice shall include a brief explanation of the utility's need for additional revenue and the dollar amount requested. The notice shall give the proposed overall percentage change from current rates as well as the proposed percentage increase in revenue for each major customer class. The customer notice shall make it clear that the application is a proposal, subject to public review and a Commission decision. It shall also inform customers that a copy of the utility's application is available for public review at the offices of both the Commission and the utility.

(7-1-93)

02. Timing of Notice for Trackers. Tracker adjustments occasioned by Federal action may be brought to the attention of customers in compliance with this rule after approval by the Commission. All other tracker cases remain subject to the requirements of advance notice contained in this rule.

(7-1-93)

03. Distribution of Customer Notices. The customer notices referred to in Rule Subsection 102.01 may be mailed to customers as bill stuffers over the course of a billing cycle or may be contained in additional comment pages to the customer's monthly bill. If additional comment pages are used, the information required by this rule is to be clearly identified, easily understood, and pertain only to the proposed rate change. (7-1-93)

04. Press Release. In instances covered by Rule Subsection 102.01, the utility shall also send a press release containing, at minimum, the same information presented in the customer notices to all newspapers, radio, and television stations listed on the Commission's news organization list for that utility. The press releases shall be mailed or delivered simultaneously with filing of the application. A copy of the press release shall be filed with the application. (7-1-93)

05. Purposes and Effects of this Rule. The purposes of Rule Subsections 102.01 through 102.04 of this rule are to encourage wide dissemination to customers of information concerning proposed rate changes for utility services. It is not a purpose of these paragraphs to create due process or other procedural rights in customers by expanding, contracting, or otherwise modifying the notice and due process rights of customers under the Public Utilities Law and the Commission's Rules of Procedure, IDAPA 31.01.01.000 et seq. Accordingly, Rule Subsections 102.01 through 102.04 of this rule create no individual procedural rights in any customer for notice that would give rise to a due process or other procedural claim cognizable by the Commission, but failure to comply with Rule Subsections 102.01 through 102.04 of this rule can be grounds for returning an application for incompleteness. (7-1-93)

[Adopted, O.n. 15518; recodified, O.N. 17744; amended, G.O. 170; amended, G.O. 177.]

Cross Reference: Rule 31.21.01.005.

103. COMPARISON OF CONSUMPTION FROM PREVIOUS YEAR--GAS AND ELECTRIC UTILITIES (RULE 103).

Each gas and electric utility subject to the Commission's jurisdiction shall compare on each customer's regular billing the customer's actual consumption of gas or electricity with the customer's actual consumption of gas or electricity for the corresponding billing period for the previous year. If the two (2) billing periods being compared contain a different number of days, the utility shall adjust the data to take into account the different length of the billing periods and show the comparison either as an absolute change in therm use or kilowatt hour use per day, week or month, or as a percentage change in therm use or kilowatt hour use per day, week or month. [Adopted, O.N. 15518; recodified, O.N. 17744; amended, G.O. 177.] (7-1-93)

Cross Reference: Rules 104; 31.21.01.005; 31.21.01.201.

104. DEGREE-DAY DATA--GAS AND ELECTRIC UTILITIES (Rule 104).

Upon request, each gas and electric utility subject to the Commission's jurisdiction shall make degree-day adjusted data available for comparisons of the kind made in Rule 103. (7-1-93)

[Adopted, O.N. 15518; recodified, O.N. 17744; amended, G.O. 177.]

Cross Reference: Rules 31.21.01.005; 31.21.02.103.

105. SUMMARY OF POSITION(S) AND TESTIMONY (Rule 105).

Each utility shall make available to the public at all Commission hearings a brief written summary of the utility's position(s) and testimony filed in the case under consideration except when the Commission has determined that a summary is not necessary. If the utility is requesting a rate increase, its summary shall address the utility's need for additional revenue, the total dollar amount requested, and the proposed percentage increase or decrease in rates for each major customer class. The Commission Staff and intervenors shall also provide a brief summary of their recommendations and the testimony filed in the case under consideration. The Commission may also require that an oral presentation or briefing be provided to the public prior to the beginning of the hearing. These summaries and presentations are provided solely for the convenience of the public and will not be allowed as evidence or form the basis for cross-examination of any witness. (4-5-00)

[Adopted, G.O. 170; amended, G.O. 203.]

Cross Reference: Rule 31.21.01.005.

106. -- 999. (RESERVED).