

IDAHO PUBLIC UTILITIES COMMISSION

MINUTES OF DECISION MEETING

August 25, 2020 – 1:30 P.M.

In attendance was Commissioner Paul Kjellander and Commissioner Kristine Raper. Commissioner Eric Anderson participated by telephone. Commissioner Kjellander called the meeting to order.

The first order of business was **APPROVAL OF MINUTES FROM THE PREVIOUS MEETING** on Tuesday August 18, 2020. The Commission voted unanimously to approve the minutes as written.

The next order of business was **CONSENT AGENDA:**

- 2. Action Item: Dayn Hardie's August 12, 2020, Decision Memorandum re: The Residential and Small Farm Credit Annual Rate Filing of Avista Corporation; Case No. AVU-E-20-08.**
- 3. Action Item: Dayn Hardie's August 12, 2020, Decision Memorandum re: Avista Corporation's Annual Power Cost Adjustment (PCA) Application; Case No. AVU-E-20-07.**
- 4. Action Item: Daniel Klein's August 5, 2020, Decision Memorandum re: Cable One Inc's 2019 Broadband Equipment Tax Credit; Case No. GNR-20-11.**
- 5. Action Item: Daniel Klein's August 5, 2020, Decision Memorandum re: Potlatch Telephone Company d/b/a TDS Telecom's 2019 Broadband Equipment Tax Credit; Case No. POT-T-20-01.**
- 6. Action Item: Daniel Klein's August 12, 2020, Decision Memorandum re: TDS Metrocom, LLC's 2019 Broadband Equipment Tax Credit; Case No. TML-T-20-01.**
- 7. Action Item: Edward Jewell's August 13, 2020, Decision Memorandum re: In the Matter of Idaho Power Company's 2019 Integrated Resource Plan; Case No. IPC-E-19-19.**
- 8. Action Item: Edward Jewell's August 13, 2020, Decision Memorandum re: Application of Idaho Power for a Validated Economic Closure Date for North Valmy Power Plan Unit 2; Case No. IPC-E-19-18.**
- 9. Action Item: Edward Jewell's August 13, 2020, Decision Memorandum re: In the Matter of Idaho Power Company's Application for Authority to Establish Tariff Schedule 687, Interconnections to Customer Distributed Energy Resources; Case No. IPC-E-20-30.**

Commissioner Kjellander made a motion to approve Staff's recommendation for Items 2, 3, 4, 5, 6, 7, 8, and 9 under the Consent Agenda. A vote was taken on the motion and it carried unanimously.

The next order of business was **MATTERS IN PROGRESS:**

- 10. Action Item: John R. Hammond Jr.'s August 12, 2020, Decision Memorandum re: CDS Stoneridge Utilities, LLC Charging Customers in Excess of the Commission-Approved Tariff Rate for a New Water Service Connection.**

Mr. Hammond reviewed his Decision Memorandum and asked does the Commission wish to open an investigation to determine whether the Company has violated *Idaho Code § 61-313*, Commission Order No. 34691 and the Company's tariff by charging customers more than a \$1,200 Hook-Up Fee. Also, does the Commission wish issue an emergency Order directing the Company to cease all billing practices that conflict with the tariff, refrain from terminating service to customers who did not pay amounts that conflict with the tariff, refrain from rejecting requests to connect to the water system unless the customer pays an amount for a Hook-up Fee over the tariff rate of \$1,200, and to send a copy to Staff of all records concerning new customer connections to the water system since November of 2018 until present, including an itemization and description of all charges the customer paid to connect to the Company's water system.

Commissioner Raper made a motion to open an investigation to determine whether the Company has violated *Idaho Code § 61-313*, Commission Order No. 34691 and the Company's tariff by charging customers more than a \$1,200 Hook-Up Fee. Commissioner Raper also made a motion to issue an emergency Order directing the Company to cease all billing practices that conflict with the tariff, refrain from terminating service to customers who did not pay amounts that conflict with the tariff, refrain from rejecting requests to connect to the water system unless the customer pays an amount for a Hook-Up Fee over the tariff rate of \$1,200, and to send a copy to Staff of all records concerning new customer connections to the water system since November of 2018 until present, including an itemization and description of all charges the customer paid to connect to the company's water system. A vote was taken on the motions and they carried unanimously.

11. Action Item: John R. Hammond Jr.'s August 13, 2020, Decision Memorandum re: Petition to Intervene of Ted Sorenson of Wood Hydro, LLC Regarding Idaho Power Company's Application for Approval or Rejection of an Energy Sales Agreement with Big Wood Canal Company; Case No. IPC-E-19-38.

Mr. Hammond reviewed his Decision Memorandum and asked does the Commission wish to grant Wood Hydro's Petition to Intervene.

Commissioner Kjellander made a motion to grant Wood Hydro's Petition to Intervene. A vote was taken on the motion and it carried unanimously.

12. Action Item: Dayn Hardie's August 13, 2020, Decision Memorandum re: In the Matter of the Formal Complaint of Mark Pecchenino Against Idaho Power Company; Case No. IPC-E-20-29.

Mr. Hardie reviewed his Decision Memorandum and asked does the Commission wish to issue a Summons to the Company and give the Company 35 days to answer or otherwise respond to the Complaint.

Commissioner Raper made a motion to issue a Summons to the Company and give the Company 35 days to answer or otherwise respond to the Complaint. A vote was taken on the motion and it carried unanimously.

13. Action Item: Dayn Hardie's August 13, 2020, Decision Memorandum re: In the Matter of Rocky Mountain Power's Application for Approval of a Power Purchase Agreement Between PacifiCorp and Fall River Electric Cooperative, Inc.; Case No. PAC-E-20-10.

Mr. Hardie reviewed his Decision Memorandum and asked does the Commission wish to vacate the August 17, 2020 public comment deadline and August 24, 2020 Company reply deadline and establish new deadlines with public comments due October 1, 2020 and reply comments due October 15, 2020.

Commissioner Raper made a motion to vacate the August 17, 2020 public comment deadline and August 24, 2020 Company reply deadline and establish new deadlines with public comments due October 1, 2020 and reply comments due October 15, 2020. A vote was taken on the motion and it carried unanimously.

14. Action Item: Edward Jewell's August 13, 2020, Decision Memorandum re: In the Matter of the Formal Complaint of Wood Hydro against Idaho Power Company; Case No. IPC-E-20-28.

Mr. Jewell reviewed his Decision Memorandum and asked does the Commission wish to issue a Summons to Rock Creek #2 and Lowline #2, direct each QF to file an answer within 21 days of the service date of the Summons, and align the time Wood Hydro has to respond.

Commissioner Raper made a motion to issue a Summons to Rock Creek #2 and Lowline #2, direct each QF to file an answer within 21 days of the service date of the Summons, and grant Wood Hydro 21 days to respond. A vote was taken on the motion and it carried unanimously.

15. Action Item: Daniel Klein's August 14, 2020, Decision Memorandum re: 2020 Idaho Universal Service Fund Annual Report and Recommendations; Case No. GNR-T-20-12.

Mr. Klein reviewed his Decision Memorandum and asked does the Commission wish to approve the Administrator's USF 2020-2021 budget, adopt Staff's recommended funding Option, and accept Staff's final recommendation for quarterly cash flow reports to monitor revenue impacts from unforeseen changes in line counts or access minutes.

Commissioner Raper made a motion to approve the Administrator's USF 2020-2021 budget, adopt Staff's recommended funding Option, and accept Staff's final recommendation for quarterly cash flow reports to monitor revenue impacts from unforeseen changes in line counts or access minutes. A vote was taken on the motion and it carried unanimously.

16. Action Item: John R. Hammond Jr.'s August 14, 2020, Decision Memorandum re: Idaho Power Company's Application for Approval or Rejection of an Energy Sales Agreement with Coleman Hydroelectric LLC; Case No. IPC-E-20-27.

Mr. Hammond reviewed his Decision Memorandum and asked does the Commission wish to grant Coleman an extension of time to file comments in this case until August 21, 2020.

Commissioner Raper made a motion to grant Coleman an extension of time to file comments in this case until August 21, 2020. A vote was taken on the motion and it carried unanimously.

The next order of business was **FULLY SUBMITTED MATTERS:**

17. Deliberation re: Petition for Approval of Amendments to the Qwest Performance Assurance Plan and Performance Indicator Definitions to Implement the FCC's Forbearance Orders; Case No. QWE-T-20-02 [John R. Hammond Jr., Attorney].

18. Deliberation re: In the Matter of Rock Mountain Power's Application for Approval of the Pioneer Road / Rustic Lane / 17th South Asset Transfer Agreement Between Rocky Mountain Power and the City of Idaho Falls; Case No. PAC-E-20-06 [Matt Hunter, Attorney].

Commissioner Kjellander stated that Items 17 and 18 under Fully Submitted Matters would be deliberated privately.

Commissioner Kjellander stated there was no further business before the Commission and he adjourned the meeting.

COMMISSION SECRETARY

DATE OF APPROVAL