

# IDAHO PUBLIC UTILITIES COMMISSION

## MINUTES OF DECISION MEETING

**April 30, 2024 – 1:30 P.M.**

In attendance was Commissioner Eric Anderson and Commissioner John R. Hammond, Jr. Commissioner Anderson called the meeting to order.

The first order of business was **APPROVAL OF MINUTES FROM THE PREVIOUS MEETING** on April 19, 2024. The Commission voted unanimously to approve the minutes as written.

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

- 2. Action Item: Michael Duval's April 30, 2024, Decision Memorandum re: In the Matter of Farko Water System's Proposed Cancellation of Ponderosa Terrace Estates Water System's Certificate of Public Convenience and Necessity No. 393; Case No. PTE-W-24-01.**
- 3. Action Item: Michael Duval's April 30, 2024, Decision Memorandum re: In the Matter of TruConnect Communications, Inc.'s Application for Designation as an Eligible Telecommunications Carrier; Case No. TCC-T-24-01.**
- 4. Action Item: Michael Duval's April 30, 2024, Decision Memorandum re: In the Matter of Fybercom LLC's Application for a Certificate of Public Convenience and Necessity to Provide Telecommunications Services in Idaho; Case No. FYB-T-24-01.**
- 5. Action Item: Adam Triplett's April 30, 2024, Decision Memorandum re: In the Matter of Idaho Power Company's Application for Modifications to the Company's Commercial & Industrial Demand Response Program, Schedule 82; Case No. IPC-E-23-24.**
- 6. Action Item: Adam Triplett's April 30, 2024, Decision Memorandum re: In the Matter of Rocky Mountain Power's Application for Approval of Updated Variable Energy Prices for QFs Subject to Terms of the 1992 Amendments to Certain Power Purchase Agreements; Case No. PAC-E-24-08.**
- 7. Action Item: Adam Triplett's April 30, 2024, Decision Memorandum re: In the Matter of Idaho Power Company's Application for Approval of a Clean Energy Your Way Construction Agreement with the City of Boise City and the First Amendment Thereto; Case No. IPC-E-24-18.**
- 8. Action Item: Adam Triplett's April 30, 2024, Decision Memorandum re: In the Matter of Rocky Mountain Power Extension Request for Idaho 2023 Annual Demand Side Management Report.**
- 9. Action Item: Michael Eldred's April 30, 2024, Decision Memorandum re: In the Matter of the Application of Avista Corporation, d/b/a/ Avista Utilities, Requesting Authority to Establish Tariff Schedule 23 for Direct Current Fast Charging (DCFC) of Electric Vehicles; Case No. AVU-E-23-16.**
- 10. Action Item: Joseph Terry's April 30, 2024, Decision Memorandum re: In the Matter of the Application of Rocky Mountain Power for an Order Increasing and Extending the Short-Term Debt Authorities Five Years; Case No. PAC-E-24-07.**

Commissioner Anderson made a motion to approve Staff's recommendations for Items 2-10 under the Consent Agenda. A vote was taken on the motion and it carried unanimously.

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

**11. Action Item: Johan E. Kalala-Kasanda's April 30, 2024, Decision Memorandum re: 2023 Idaho Telecommunications Relay Service ("TRS") Annual Report; Case No. GNR-T-24-02.**

Mr. Kalala-Kasanda presented the Decision Memorandum and notified the commission of staff's agreement with the Administrators recommendation to raise the current TRS assessment rates from the current \$0.05 to \$0.07 per access line per month but keep the current long-distance rate of \$0.001 per intrastate MTS/WATS minute unchanged.

Commissioner Anderson made a motion to accept the Administrators recommendation, accept the Administrator's Annual Report, and adopt the Administrator's budget for 2024. A vote was taken on the motion and it carried unanimously.

**12. Action Item: Johan E. Kalala-Kasanda's April 30, 2024, Decision Memorandum re: 2023 Idaho Telephone Assistance Program ("ITSAP") Annual Report; Case No. GNR-T-24-03.**

Mr. Kalala-Kasanda presented the Decision Memorandum and notified the commission of staff's revised recommendation to gradually increase rates. Ms. Carlock clarified that the fund is currently suspended and would be reinstated along with a rate increase.

Commissioner Anderson made a motion to accept the 2023 ITSAP Annual Report, adopt the Administrators 2024 budget, accept the Administrators recommendation to reinstate the ITSAP Program surcharge rate, adopt staff's recommendation to reinstate the ITSAP Program surcharge rate of \$0.05 per access line effective May 1<sup>st</sup>, 2024 until the next annual budget review, and direct all company to report access line counts to the Administrator. A vote was taken on the motion and it carried unanimously.

The next order of business was **EXECUTIVE SESSION MATTERS:**

**13. Pending Litigation, under Idaho Code § 74-206 (1)(f) Discussion with Counsel re: *Idaho Department of Environmental Quality, Plaintiff, vs. Island Park Water Company, Inc., and Dorothy McCarty, Individually and in her capacity as Owner of Island Park Water Company, Inc., Defendants, Bonneville County Case No. CV10-23-3252.***

Commissioner Anderson made a motion to adjourn into Executive Session and cited Idaho Code § 74-206 (1)(f). He stated the purpose of the Executive Session was to communicate with the Commission's counsel about pending litigation In the Matter of Idaho Department of Environmental Quality, Plaintiff, and Idaho Public Utilities Commission, Proposed Co-Plaintiff, vs. Island Park Water Company, Inc., and Dorothy McCarty, Individually and in her Capacity as Owner of Island Park Water Company, Inc., Defendants; Bonneville County Case No. CV10-23-3253. The Commission adjourned into Executive Session at 1:42p.m. Commissioner Anderson reconvened the regular meeting at 1:55p.m.

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

**14. Deliberation Memorandum re: In the Matter of Intermountain Gas Company's Application for a Determination of 2022 Energy Efficiency Expenses as Prudently Incurred; Case No. INT-G-23-06 [Dayn Hardie, Attorney].**

**15. Deliberation Memorandum re: In the Matter of AT&T Corp. and AT&T Enterprises, Inc.'s Joint Application for the Issuance of a New Certificate of Public Convenience and Necessity to AT&T Enterprises, LLC. and Cancellation of the Existing Certificate of Public Convenience and Necessity Held by AT&T Corp.; Case No. ATT-T-24-01 [Michael Duval, Attorney].**

**16. Deliberation Memorandum re: In the Matter of the Joint Petition of Avista Corporation and Stimson Lumber Company for Approval of Amendment No. 6 to the Purchase and Sale Agreement; Case No. AVU-E-24-03 [Michael Duval, Attorney].**

Commissioner Anderson stated that Items 14 and 16 under Fully Submitted Matters would be deliberated privately.

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

  
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COMMISSION SECRETARY

5/7/2024  
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DATE