

IDAHO PUBLIC UTILITIES COMMISSION

MINUTES OF DECISION MEETING

June 18, 2024 – 1:30 P.M.

In attendance was Commissioner John R. Hammond, Jr. and Commissioner Edward Lodge. Commissioner Anderson was not in attendance.

The first order of business was **APPROVAL OF MINUTES FROM THE PREVIOUS MEETING** on June 11, 2024. The Commission voted unanimously to approve the minutes as written.

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

2. Action Item: Chris Burdin's June 18, 2024, Decision Memorandum re: In the Matter of Idaho Power Company's Application to Increase Rates for Electric Service to Recover Costs Associated with Incremental Capital Investments and Certain Ongoing Operations and Maintenance Expenses; Case No. IPC-E-24-07.

3. Action Item: Chris Burdin's June 18, 2024, Decision Memorandum re: In the Matter of Idaho Power Company's Application for a Certificate of Public Convenience and Necessity for the Boise Bench Battery Storage Facility; Case No. IPC-E-24-16.

4. Action Item: Dayn Hardie's June 18, 2024, Decision Memorandum re: In the Matter of Idaho Power Company's Tariff Advice to Modify Schedule 62, Clean Energy Your Way Program – Optional; Tariff Advice No. IPC-TAE-24-01.

5. Action Item: Johan Kalala-Kasanda's June 18, 2024, Decision Memorandum re: In the Matter of the Petition of CTC Telecom, Inc. to Demonstrate Satisfaction of Requirements to Hold CPCN Certificate No. 348 and to Demonstrate Satisfaction of Criteria to Hold Its Designation as an Eligible Telecommunications Carrier; Case No. CTL-T-23-02.

6. Action Item: Johan Kalala-Kasanda's June 18, 2024, Decision 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, Inc. and Cancellation of the Existing Certificate of Public Convenience and Necessity Held by AT&T Corp.; Case No. ATT-T-24-01

Commissioner Hammond made a motion to approve Staff's recommendations for Items 2 – 6 under the Consent Agenda. A vote was taken on the motion and it carried unanimously.

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

7. Action Item: Michael Duval's June 18, 2024, Decision Memorandum re: In the Matter of CDS Stoneridge Utilities, LLC's Application for Authority to Increase Its Rates and Charges for Water Service in the State of Idaho; Case No. SWS-W-24-01.

Mr. Duval presented the Decision Memorandum and notified the Commission that Stoneridge Utilities is not represented by an attorney. In addition, Stoneridge Utilities has not provided adequate discovery to the intervenors. Staff has discussed the representation requirements with Mr. Chan Karupiah, the owner of Stoneridge Utilities.

Commissioner Hammond stated his concern regarding Stoneridge Utilities not being represented by counsel and asked Mr. Duval for a status of this.

Mr. Duval informed Commissioner Hammond that just today he received a letter from Mr. Karupiah, and that Mr. Duval had not had a chance to include this information in his Decision Memo. Mr. Duval stated that Mr. Karupiah is having a meeting with an attorney on Friday, June 21, 2024 to discuss representation.

Commissioner Hammond expressed his concern regarding Stoneridge Utilities ability to respond to discovery without counsel at this time and asked Mr. Duval for his opinion regarding this.

Mr. Duval expressed that informally, Stoneridge Utilities could respond to discovery; but cited Rule 67, regarding confidential information needing to be verified by an attorney. Further, Mr. Duval stated that if confidential information contained in discovery needed to be redacted, Stoneridge Utilities would need an attorney to do that.

Commissioner Hammond made a motion to suspend the case for an additional sixty (60) days from the issuance of the Commission's Order 36116, making a new effective date of any rate changes in this case to occur on or before November 30, 2024. Further, the Company is ordered to file a valid Notice of Representation within thirty (30) days of the Commission's order. Additionally, there will be language in the forthcoming order that will state this case may be dismissed if the Company fails to file a notice of valid representation with an Idaho licensed attorney or an attorney who has local counsel who has filed pro hac vice, within thirty (30) days of said order. The order shall also contain language reminding the Company that it is the responsibility of the Company to comply with the rules and statutes of the Commission, and that timely responding to discovery is required. The Commission will vacate the current comment deadline previously set in order number 36192.

Mr. Duval informed Commissioner Hammond that he understood but would recommend finding good cause to suspend.

Commissioner Hammond stated, in this case, that there is good cause to suspend the effective date, not because of the Company's actions, but because in complying with our duties by statute, the Commission has to ensure that the utility is charging sufficient rates, in order to not lose money and become unable to provide safe and adequate service. Commissioner Hammond stated that the Commission does not know that yet, because the Company has not participated fully. Commissioner Hammond stated that yes, in an abundance of caution, there is good cause to suspend and also good cause to allow the parties in the case who have raised objections and concerns regarding responding to discovery, to give them more time.

Commissioner Hammond made a motion to approve Staff's recommendations for Item 7 under Matters in Progress. A vote was taken on the motion and it carried unanimously.

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

8. Deliberation 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 [Adam Triplett, Attorney].

9. Deliberation Memorandum re: In the Matter of Idaho Power Company's Petition to Update the Colstrip-Related Adjustable Portion of Its Avoided Cost Rates for Exiting PURPA Contracts; Case No. IPC-E-24-19 [Michael Duval, Attorney].

Commissioner Hammond stated that Items 8-9 under Fully Submitted Matters would be deliberated privately.

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



COMMISSION SECRETARY

6/25/2024

DATE

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