

IDAHO PUBLIC UTILITIES COMMISSION

MINUTES OF DECISION MEETING

SUBJECT TO APPROVAL

October 1, 2024 – 1:30 p.m.

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

The first order of business was the **APPROVAL OF MINUTES FROM THE PREVIOUS MEETING** on September 24, 2024. The Commission voted unanimously to approve the minutes as written.

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

2. Action Item: Dayn Hardie's October 1, 2024, Decision Memorandum re: In the Matter of Rocky Mountain Power's Application for a Prudency Determination of Its Demand Side Management Expenses Incurred in 2022 and 2023; Case No. PAC-E-24-10.

3. Action Item: Michael Duval's October 1, 2024, Decision Memorandum re: In the Matter of Idaho Power Company's Application for Authority to Fund Its Continued Participation in the Northwest Energy Efficiency Alliance Through the Energy Efficiency Rider for 2025-2029; Case No. IPC-E-24-35.

4. Action Item: Adam Triplett's October 1, 2024, Decision Memorandum re: In the Matter of Avista Corporation's Annual Compliance Filing to Update the Load and Gas Forecasts in the Incremental Cost Integrated Resource Plan Avoided Cost Model to Be Used for Avoided Cost Calculations; Case No. AVU-E-24-10.

5. Action Item: Adam Triplett's October 1, 2024, Decision Memorandum re: In the Matter of Avista Corporation's Application for the Extension of Avista's Electric and Natural Gas Fixed Cost Adjustment Mechanisms in the State of Idaho; Case Nos. AVU-E-24-11 and AVU-G-24-04.

6. Action Item: Adam Triplett's October 1, 2024, Decision Memorandum re: In the Matter of Capitol Water Corporation's Application to Increase Its Rates and Charges for Water Service in the State of Idaho; Case No. CAP-W-24-01.

Commissioner Anderson made a motion to approve Staff's recommendations for Items 2 through 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: Chris Burdin's October 1, 2024, Decision Memorandum re: In the Matter of the Joint Petition of Clearwater Paper Corporation, Avista Corporation and Sofidel America Corp. for

Approval of a Contract Temporarily Waiving Avista's Prohibition Against Master-Metering Its Electric Services; Case No. AVU-E-24-12.

Mr. Burdin presented the decision memorandum regarding the joint petition requesting a temporary waiver of the prohibition against master metering for electric services. The petitioners have also requested expedited processing with a final decision and final order issued by October 28, 2024. Staff recommendations are as follows: 21-day initial comment period ending October 22, 2024, and 3-day reply comment period ending on October 25, 2024. Mr. Burdin notified the commission that in order to oblige the petitioners request of granting approval by October 28 would require deliberation and order issuance on the same day.

Mr. Richardson, Counsel for Clearwater Paper Corporation, briefed the commission on this matter. Clearwater Paper Corporation is selling its tissue-making facilities in Lewiston to Sofidel America Corp. Avista's tariff prohibits resale or giveaway of purchased electricity, affecting Sofidel's operations starting October 28, 2024. Separation of electrical services from the tissue plant is not feasible for three years due to supply chain constraints. The Temporary waiver is needed by October 28 to comply with purchase agreement terms and avoid financial consequences. Which is why the petitioners are asking for a shortened comment period. The petitioners' proposed timeline is as follows: Initial Comments due October 15, 2024, Reply Comments due October 18, 2024, and Order issued by October 28, 2024.

Commissioner Hammond expressed concerns regarding some the potential challenges to meet the requested timeline. Prior commitments and scheduled meetings may affect the commission's availability.

Commissioner Anderson stressed the importance of not being punitive while accommodating urgent needs.

Commissioner Anderson made a motion to approve the petitioners requested timeline as detailed above. A vote was taken on the motion, and it carried unanimously.

8. Action Item: Adam Triplett's October 1, 2024, Decision Memorandum re: In the Matter of the Investigation Into Valiant Idaho, Inc. and TIC Utilities, LLC, Owners of a Northern Idaho Water Supply and Distribution System; Case No. GNR-W-24-01.

Mr. Triplett presented the decision memorandum the investigation into Valiant Idaho, Inc. and TIC Utilities, LLC. On September 6, 2024 (Order #36312) determined Valiant Idaho, Inc. as a public utility and directed Valiant to take steps to obtain a Certificate of Public Convenience and Necessity (CPCN). On September 9, 2024, Valiant distributed a letter to its customers indicating there would be a rate increase from \$45 to \$100 per month effective October 1, 2024. On September 24, 2024, Staff contacted Valiant's counsel regarding the rate increase letter. Soon after Valiant's counsel (Mister Brooks) communicated that the company would not raise rates and would notify customers accordingly. After staff's discussion with Valiant's counsel, staff filed a motion for a commission order directing Valiant to: (1) Charge only the rates effective on September 6, 2024 and (2) Submit evidence that customers have been notified of the retraction of the rate increase.

Mr. Brooks, counsel for Valiant Idaho, Inc, confirmed agreement with staff's assessment, affirmed that the retraction letter had been sent to all customers, and ensured compliance with PUC regulations moving forward.

Commissioner Anderson made a motion to issue an order directing Valiant Idaho, Inc to: (1) Charge only the rates effective on September 6, 2024 and (2) Submit evidence of customer notification regarding the rate hold. A vote was taken on the motion, and it carried unanimously.

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

9. Deliberation Memorandum re: In the Matter of Idaho Power Company's Application for Approval of Amendments to the Energy Services Agreements with Micron and Brisbie and request for Updated Pricing Elements Based on 2023 IRP; Case No. IPC-E-24-23 [Adam Triplett, Attorney].

Commissioner Anderson stated that Item 9 under Fully Submitted Matters would be deliberated privately.

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



COMMISSION SECRETARY

10/08/2024

DATE OF APPROVAL