

IDAHO PUBLIC UTILITIES COMMISSION

MINUTES OF DECISION MEETING

SUBJECT TO APPROVAL

February 4th, 2025 – 1:30 p.m.

In attendance was Commissioner Edward Lodge, Commissioner John R. Hammond, Jr., and Commissioner Dayn Hardie. Commissioner Lodge called the meeting to order.

The first order of business was the **ADOPTION OF THE PROPOSED AMENDED AGENDA** for February 4, 2025.

Commissioner Lodge made a motion, under Idaho Code § 74-204, to amend the agenda, moving Action Item No. 3 to **MATTERS IN PROGRESS**, Michael Duval's February 4, 2025, Decision Memorandum re: In the Matter of Ziplly Fiber of Idaho, LLC's and Ziplly Fiber Northwest, LLC's Failure to Properly Maintain Equipment and Provide Reliable Service to Customers; Case No. GNR-T-25-02. A vote was taken on the motion and it carried unanimously.

The next order of business was the **APPROVAL OF MINUTES FROM THE PREVIOUS MEETING** on January 28, 2025. The Commission voted unanimously to approve the minutes as written.

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

2. **Action Item: Yao Yin's February 4, 2025, Decision Memorandum re: In the Matter of the Annual Compliance Filing to Update the Load and Gas Forecasts in the Incremental Cost Integrated Resource Plan Avoided Cost Model; Case No. IPC-E-24-40.**
3. **Action Item: Michael Duval's February 4, 2025, Decision Memorandum re: In the Matter of Ziplly Fiber of Idaho, LLC's and Ziplly Fiber Northwest, LLC's Failure to Properly Maintain Equipment and Provide Reliable Service to Customers; Case No. GNR-T-25-02.**
4. **Action Item: Johan Kalala-Kasanda's February 4, 2025, Decision Memorandum re: In the Matter of the Petition of Millennium Networks, LLC to Demonstrate Satisfaction of Requirements to Hold CPCN Certificate No. 494; Case No. MNL-T-24-01.**
5. **Action Item: Adam Triplett's February 4, 2025, Decision Memorandum re: In the Matter of Priest Lake Water, LLC's Application to Increase Its Rates and Charges for Water Service in the State of Idaho; Case No. PLW-W-24-02.**
6. **Action Item: Chris Burdin's February 4, 2025, Decision Memorandum re: In the Matter of Idaho Power Company's Petition to Modify a Compliance Filing Requirement Related to Updating Schedule 87; Case No. IPC-E-24-08.**

Commissioner Hardie disclosed conflicts of interest with items 3, 4, and 5 due to previous involvement in his previous role as a Deputy Attorney General and abstained from making decisions on those items.

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

Commissioner Lodge made a motion for himself and Commissioner Hammond to approve Staff's recommendations for Items 3, 4, and 5 under the Consent Agenda. A vote was taken on the motion, and it carried unanimously.

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

3. Action Item: Michael Duval's February 4, 2025, Decision Memorandum re: In the Matter of Ziplly Fiber of Idaho, LLC's and Ziplly Fiber Northwest, LLC's Failure to Properly Maintain Equipment and Provide Reliable Service to Customers; Case No. GNR-T-25-02.

Michael Duval presented the memorandum regarding the pending investigation into Ziplly Fiber's alleged failure to properly maintain equipment and provide reliable service. Mr. Duval informed the commission of staff's recommendation to schedule a show cause hearing to allow the company the opportunity to discuss the allegation concerning line maintenance and service reliability.

Mr. Arkoosh, a representative of Ziplly Fiber, took the opportunity to shed light on the unresolved issues between Ziplly Fiber and Avista regarding pole ownership and maintenance. Mr. Arkoosh also requested the commission combine the cases regarding the individual complaint and the investigation as they are directly related to the same issue at hand.

Commissioner Hammond advised the company regarding the potential penalty of up to \$2,000 per day if the commission finds there was a failure to properly abide by the statutory requirements as well as the company's mandatory attendance at the show case hearing.

Commissioner Hammond made a motion to have staff schedule a show cause hearing allowing staff and the company ample time to engage in meaningful discovery. Along with a motion to set a public comment and reply comment period for the company, staff and any interested parties, including Mr. Ayers (complainant), to comment. And lastly a motion to combine Mr. Ayers formal complaint filings to this case.

A vote was taken on the motion, and it carried unanimously.

7. Action Item: Election of Commission President.

Commissioner Lodge opened a vote to elect the next President of the Idaho Public Utilities Commission. Commissioner Hammond made a motion to elect Commissioner Lodge as President. Commissioner Hardie seconded the motion. A vote was taken on the motion and it carried unanimously.

Commissioner Lodge and Hammond took a moment to recognize and praise former Commissioner Eric Anderson for his years of extensive service and contributions to the state and sector as a whole.

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

8. Deliberation Memorandum re: In the Matter of Idaho Power Company's Application for an Order Approving the Transfer of Certain Assets Associated with Transmission Plant Held for Future Use; Case No. IPC-E-24-41 [Chris Burdin, Attorney].

9. Deliberation Memorandum re: In the Matter of Avista Corporation's Application for a Determination of 2022-2023 Electric and Natural Gas Energy Efficiency Expenses as Prudently Incurred; Case Nos. AVU-E-24-09 and AVU-G-24-03 [Chris Burdin, Attorney].

Commissioner Lodge stated that Items 8 and 9 under Fully Submitted Matters would be deliberated privately.

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



COMMISSION SECRETARY

2/11/2025

DATE OF APPROVAL