

IDAHO PUBLIC UTILITIES COMMISSION

MINUTES OF DECISION MEETING

SUBJECT TO APPROVAL

March 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. 9 to **MATTERS IN PROGRESS**, Chris Burdin's March 4, 2025, Decision Memorandum re: Investigation Into Dale Rainey Design Group, Owner of a Housing Development and Underground Pipeline System. 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 February 18th, 2025. The Commission voted unanimously to approve the minutes as written.

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

2. Action Item: Michael Eldred's March 4, 2025, Decision Memorandum re: In the Matter of Rocky Mountain Power's Application for Authority to Increase Its Rates and Charges in Idaho; Case No. PAC-E-24-04.

3. Action Item: Adam Triplett's March 4, 2025, Decision Memorandum re: In the Matter of Idaho Power Company's Application to Modify Its Energy Risk Management Standards; Case No. IPC-E-25-02.

4. Action Item: Adam Triplett's March 4, 2025, Decision Memorandum re: In the Matter of Cable One VoIP LLC d/b/a Sparklight's Application to relinquish Designation as an Eligible Telecommunication's Carrier; Case No. CAB-T-24-01.

5. Action Item: Chris Burdin's March 4, 2025, Decision Memorandum re: In the Matter of the Application of Idaho Power Company for Review of the Company's Current Wildfire Mitigation Plan and Authorization to Defer Newly Identified Incremental Wildfire Mitigation Costs; Case No. IPC-E-25-05.

6. Action Item: Chris Burdin's March 4, 2025, Decision Memorandum re: In the Matter of Idaho Power Company's Annual Compliance Filing to Update the Substation Allowance Amount Under Schedule 19, Large Power Service; Case No. IPC-E-25-01.

7. Action Item: Chris Burdin's March 4, 2025, Decision Memorandum re: In the Matter of the Application of Veolia Water Idaho, Inc. for a General Rate Case; Case No. VEO-W-24-01.

8. Action Item: Chris Burdin's March 4, 2025, Decision Memorandum re: In the Matter of Intermountain Gas Company's Application for Determination of 2023 Energy Efficiency Expenses as Prudently Incurred; Case No. INT-G-24-05.

9. Action Item: Chris Burdin's March 4, 2025, Decision Memorandum re: Investigation Into Dale Rainey Design Group, Owner of a Housing Development and Underground Pipeline System.

Commissioner Hardie disclosed conflicts of interest with items 2 and 8 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 3, 4, 5, 6, 7 and 9 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 2 and 8 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: Chris Burdin's March 4, 2025, Decision Memorandum re: In the Matter of Idaho Power Company's Application for Approval of Special Contract and Tariff Schedule 28 to Provide Electric Service to Micron Idaho Semiconductor Manufacturing (Triton) LLC; Case No. IPC-E-24-44.

Chris Burdin presented the memorandum regarding Idaho Power. And reminded the commission that on January 27th it issued a notice of application and notice of modified procedure establishing a March 12, 2025 initial comment deadline and a March 26, 2025 reply comment deadline. Intervenor status was granted to: Micron Technologies, the Idaho Irrigation Pumpers Association (IIPA) and the Industrial Customers of Idaho Power (ICIP). On February 20th, IIPA filed an objection to the modified procedure and requested a hearing and motion to consolidate for hearing with interrelated cases. IIPA has also requested oral argument on the motion. Based on IIPA's filings, staff has recommended the Commission establish a schedule for oral argument or any other proceeding or a procedure deemed necessary by the Commission. And staff also recommends that the commission vacate the current comment deadlines in order number 36446.

Commissioner Hammond inquired whether Idaho Power Company had replied or if they had communicated with an intent to respond.

Mr. Burdin confirmed that Idaho Power and staff do intend to respond to IIPA's filings. As well as informing the commission that ICIP had filed an answer in concurrence with the initial motion.

Commissioner Hammond made a motion to vacate the current comment deadline and set a response due date for Idaho Power. And to direct staff to set a date that all parties agree to for an oral argument to address the motion. Both items will be addressed in an order that will be issued upon settlement of the oral argument date.

11. Action Item: Michael Duval's March 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.

Commissioner Hardie disclosed conflicts of interest with item 10 due to previous involvement in his previous role as a Deputy Attorney General and abstained from making decisions on this item.

Michael Duval presented the memorandum regarding Ziplly Fiber's alleged failure to properly maintain equipment and provide reliable service to customers. Mr. Duval recalled a previous meeting where the commission agreed to merge this case along with the formal complaint of Mike Ayers. After the decision, the company held discussions with commission staff regarding an alternative path forward. Commission staff recommends maintaining and processing the cases individually.

Commissioner Hammond sought clarification as to whether Mr. Ayers has shared his opinion on separating the cases as originally filed. As well as whether Ziplly had filed an answer to the formal complaint of Mr. Ayers.

Mr. Duval clarified that he had not spoken to Mr. Ayers regarding the separation of the cases; however, that he is aware that Mr. Ayers' primary concern is that his formal complaint is fully investigated due to his serious allegations against Ziplly. Mr. Duval also confirmed that Ziplly has provide an answer to the complaint titled "Summary Judgement".

Commissioner Hammond made a motion to vacate the commission's decision to issue a notice of hearing and order to show cause and close this case with language in the order that will address that should the commission need to bring the company back before the commission for an order to show cause, it may do so for failing to comply with commission rules, etc. and statutes. That we would direct the opening of a formal investigation of the companies to ensure compliance with Idaho law and commission mandates in a separate case, new case number. And an order would be issued clarifying that Mike Ayers' formal complaint, in its existing case number, shall proceed in the absence of show cause hearing.

A vote was taken from President Lodge and Commissioner Hammond on the motion, and it carried unanimously.

12. Action Item: Joe Terry's March 4, 2025, Decision Memorandum re: In the Matter of Stoneridge Water Company's Application to Increase Rates and Modify Rules and Regulations; Case No. SWS-W-06-01.

Commissioner Hardie disclosed conflicts of interest with item 11 due to previous involvement in his previous role as a Deputy Attorney General and abstained from making decisions on this item.

Joe Terry presented the memorandum regarding Stoneridge's surcharge. In 2015, the commission issued an order to collect approximately \$183,000 to pay for the expansion into or to bring in the Happy Valley Ranchos into Stoneridge due to customer growth that will be paid off a little early. Instead of being in September, it will be paid off after the April billing. Mr. Terry requested the commission issue an order to cease the collection of the surcharge after the April billing for this year.

Commissioner Hammond sought clarification as to a potential miscalculation and asked Mr. Terry to elaborate on the matter.

Mr. Terry explained that there is in fact a mismatch not a miscalculation. The mismatch was due to the start date of the commission's surcharge schedule starting 18 months prior to the first payment. Mr. Terry also clarified that when the commission issued the collection schedule it did not take the potential customer growth into account which in turn helped the company build the reserve in question.

Commissioner Hammond made a motion that the commission issue an order stating that there will be a cessation of collections of the surcharge to the Happy Valley Ranchers customers after the April 2025 billing cycle.

A vote was taken from President Lodge and Commissioner Hammond on the motion, and it carried unanimously.

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

13. Deliberation Memorandum re: In the Matter of Rocky Mountain Power's Application for Authority to Increase Its Rates and Charges in Idaho; Case No. PAC-E-24-04 [Adam Triplett, Attorney].

14. Deliberation Memorandum re: In the Matter of John Naumann's Formal Complaint Against Idaho Power Company; Case No. IPC-E-24-34 [Adam Triplett, Attorney].

15. Deliberation 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 [Adam Triplett, Attorney].

16. Deliberation Memorandum re: In the Matter of Rocky Mountain Utility Company, Inc.'s Application to Amend Its Certificate of Public Convenience and Necessity; Case No. ROC-W-24-01 [Michael Duval, Attorney].

17. Deliberation Memorandum re: In the Matter of Idaho Power Company's Filing in Compliance with Order No. 36402 for Authority to Track Annual Wheeling Revenues in the Power Cost Adjustment; Case No. IPC-E-24-38 [Michael Duval, Attorney].

18. Deliberation Memorandum re: In the Matter of the Application of CDS Stoneridge Utilities, LLC for Authorization to Borrow Funds from Related Entities to Cover Operating Losses; Case No. SWS-W-25-01 [Chris Burdin, Attorney].

Commissioner Lodge stated that Items 12-17 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

3/11/2025

DATE OF APPROVAL