

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE INVESTIGATION) CASE NO. ATL-E-18-01
OF ATLANTA POWER COMPANY)
SERVICE AND CUSTOMER RELATIONS) NOTICE OF COMMENT PERIOD
) ON RECONSIDERATION
)
) ORDER NO. 34365

On April 2, 2019, the Commission ordered Atlanta Power Company (“Atlanta Power” or “Company”) to file past due statements of operating revenues, pay past due fees and interest, and fined the Company \$12,000 for six violations of the Idaho Public Utilities Law, specifically violations of *Idaho Code* §§ 61-401, -610, -1001, and -1003. Order No. 34296.

On May 10, 2019, the Commission granted reconsideration of Order No. 34296, and suspended imposition of the \$12,000 penalty as of the date the petition for reconsideration was filed by Atlanta Power. Order No. 34334. The Commission also ordered the Company to participate in a settlement conference with interested parties regarding the possible sale of the Company’s assets, and ordered Commission Staff to file a report within 14 days of the settlement conference apprising the Commission on progress. *Id.*

On May 29, 2019, Atlanta Power, Staff, and the Atlanta Electrical Consumers Cooperative (“Co-Op”) participated in a settlement conference. On June 12, 2019, Staff filed a Staff Report with the Commission. Staff noted that the Company and the Co-Op had both made good faith efforts toward reaching an agreement.

In Order No. 34334, the Commission also ordered the Company to file its statements of gross intrastate operating revenue with the Commission, pay its past due regulatory assessments, and provide current telephone numbers for an onsite operator and Company management. The Company filed its statements of gross intrastate operating revenue for years 2016, 2017, and 2018, and paid its past due regulatory assessments within the timeline ordered by the Commission. The Company stated all its customers know the onsite operator and how to contact him.

In granting reconsideration the Commission stated, “Upon receiving Staff’s report . . . the Commission will issue an Order outlining next steps in the reconsideration process, imposing fines, or taking any other action the Commission finds reasonable based on the record before it at

that time.” Order No. 34334 at 5. Now, the Commission issues this Notice of Comment Period on Reconsideration establishing a comment period and a reply comment period.

NOTICE OF COMMENT PERIOD ON RECONSIDERATION

YOU ARE HEREBY NOTIFIED that the Commission requests comments on 1) whether the fine was correctly imposed based on the findings of fact and conclusions of law in Order No. 34296; 2) whether new facts have arisen since the Commission issued Order No. 34296 that would make the fine no longer just and reasonable; and 3) if the fine was properly assessed and continues to be just and reasonable, should the Commission make the full fine payable to the state treasury to the credit of the general fund under *Idaho Code* § 61-712 or should the Commission seek to compromise the penalty under *Idaho Code* § 61-712B?

YOU ARE FURTHER NOTIFIED that any party or member of the public desiring to state a position on this matter may file a written comment with the Commission **by no later than July 18, 2019**. See IDAPA 31.01.01.332. All comments must contain a statement of reasons supporting the comment. Written comments concerning this matter may be mailed to the Commission and Company at the addresses reflected below:

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

Israel Ray, Owner
Atlanta Power
1275 Dolphin Way
Fairbanks, Alaska 99709

Street Address for Express Mail:

472 W. Washington Street
Boise, ID 83702-5918

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission’s home page located at www.puc.idaho.gov. Click the “Utility Case Comment or Question Form” under the “Consumers” tab, and complete the form using the case number as it appears on the front of this document. These comments must also be sent to the Company at the address listed above.

YOU ARE FURTHER NOTIFIED that any party may file reply comments **by no later than July 25, 2019**.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on the record already before it.

ORDER

IT IS HEREBY ORDERED that parties and interested persons have until July 18, 2019 to file written comments with the Commission, and until July 25, 2019 to file reply comments with the Commission.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this ^{28th} day of June 2019.



PAUL KJELLANDER, PRESIDENT

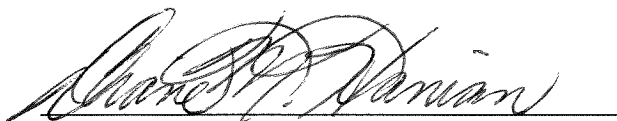


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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