



VIRTUAL PUBLIC WORKSHOP
Atlanta Power
Sale and Transfer of Certificate of Public
Convenience and Necessity ("CPCN")
Case No. ATL-E-22-02

IDAHO PUBLIC UTILITIES COMMISSION
November 29, 2022





Introduction




Adam Rush – *Public Information Officer*

Kevin Keyt – *Technical Analyst*

Curtis Thaden – *Utilities Compliance Investigator*

Workshop Participation

- Online:
 - To open chat in WebEx, please select the icon. 
 - Type questions and comments in the chat box;
 - Please use the “All Panelists” option when using chat to ensure your message will be seen.
 - To speak, click on the hand in the lower right corner by your name.
- On the phone:
 - ***3** is the command to raise and lower your hand;
 - When your line has been un-muted, you will hear an announcement indicating that.

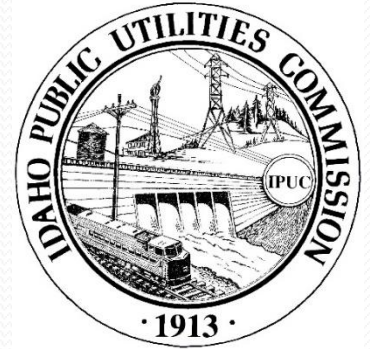
This PowerPoint is available on the commission's homepage at puc.idaho.gov.

Workshop Participation

Please hold questions until the end of the presentation.

At the conclusion of the presentation, questions will be answered by Staff.

What is the Idaho Public Utilities Commission?



- Established in 1913. Idaho Code Sections 61, 62, and 63.
- The Commission regulates Idaho's investor-owned utilities, ensuring adequate service and reasonable rates.
- The Commission is made up of three Commissioners appointed by the Governor. The Commissioners make the decisions in each case.
- Commission Staff is made up of Auditors, Utilities Compliance Investigators, Engineers, and Technical Analysts.
- The Staff is conducting this workshop. Staff is one of the parties in the case providing written comments to the Commissioners.



Background Atlanta Power Company Sale and CPCN Transfer

Kevin Keyt
Technical Analyst

Workshop Purpose

Informational session to learn about the pending sale and CPCN transfer of Atlanta Power Company Case No. ATL-E-22-02

- This Public Workshop is not part of the official case record.
- Summarize the proposed sale and CPCN transfer.
- Provide customers an opportunity to meet Commission Staff.
- Provide customers an opportunity to ask questions to Staff.
- Provide instructions on how to submit written public comments.

System Sale

- On February 23, 2022, the Commission held a Show Cause Hearing where Mr. Israel Ray testified on behalf of the Company. **Case No. ATL-E-22-01**
- The Hearing focused on four main issues:
 - Whether the company is in negotiations for sale of the Company;
 - Investigations regarding safe and reliable service;
 - Identification of reliable contact information for the Company;
 - Appraisal of the Company's value.

Sale and Transfer

- Conditions for Sale and CPCN Transfer of Atlanta Power:
 - The Company or purchaser must submit a contract and bill of sale for the sale of the Company's assets including its CPCN, to the Commission.
 - The Company or purchaser must submit a fully executed Purchase Sale Agreement ("PSA") to the Commission.
 - The purchaser must file a case seeking approval for transfer of the Company's CPCN under Idaho Code 61-328.
 - **Case No. ATL-E-22-02**



Application of Greylock Energy Holdings LLC Case No. ATL-E-22-02

Kevin Keyt
Technical Analyst

ATL-E-22-02 Application

- Greylock Energy Holdings LLC applied to the Commission to purchase all of the assets of the Atlanta Power Company.
- The purchase includes the Atlanta Power Company CPCN for the provision of electric service to approximately seventy-five customers in and near Atlanta, Idaho.
- Greylock Energy Holdings is an LLC that was formed for acquiring, owning, and operating the Atlanta Power Company.
 - The company has two owners (Gene Haught and Nick Jones) each with fifty percent ownership.
- If the sale and transfer are approved by the Commission, Mr. Haught and Mr. Jones plan to equally share responsibility for owning and running Atlanta Power Company.



Sale and Transfer 61-328

CPCN Conditions 61-528

Kevin Keyt
Technical Analyst

Idaho Code 61-328

- Idaho Code Section 61-328 governs the sale/transfer of electric utility property in Idaho.
- In order to authorize the sale or transfer, the Commission must find:
 - That the transaction is consistent with the public interest;
 - That the cost of and rates for service will not be increased by reason of such transaction;
 - That the applicant has the bona fide intent and financial ability to operate and maintain the subject property in the public interest.

CPCN Conditions For All IPUC Regulated Utilities

- “Before any CPCN may issue[,] a certified copy of its articles of incorporation, or charter, if the applicant be a corporation, shall be filed in the office of the commission. The commission shall have power, after hearing involving the financial ability and good faith of the applicant and necessity of additional service in the community to issue said certificate as prayed for, or to refuse to issue the same, ...”

CPCN Transfer

- For the Atlanta Power Company CPCN No. 300 to transfer to the buyers, the Commission must find that the transfer complies with Idaho Code.
- Idaho Code 61-328 Electric utilities—Sale of property to be approved by Commission applies in this situation.

Staff Review

- Members of Commission Staff visited Atlanta on August 16 and 17th, 2022 to meet with the Company's owner and the buyers and perform a general inspection of the system.
 - The intent of the inspection was to review the current overall condition of the system and determine progress made since issuance of the 2018 Staff Report in Case No. ATL-E-18-01.
- Staff has and will continue to review all associated documents in **Cases No. ATL-E-22-01 and ATL-E-22-02.**
 - Staff's review includes prior cases, Commission Orders, customer complaints, and customer comments.
 - Staff's review also includes analysis to check for compliance with Idaho statutes.

Next Steps

- Staff conducts a Virtual Public Workshop.
- Parties including Staff prepare and file comments.
- The Commission conducts a Virtual Public Hearing.
- The public prepares and files comments.
- Parties prepare and file reply comments.
- The Commission approves or denies the sale and CPCN transfer and issues a Final Order.
 - Parties can accept the Commission's Final Order or file for reconsideration.

Next Steps Continued

- If approved, Staff will work with the buyers to ensure they understand requirements associated with being a regulated utility.
- If approved, the Company name will not change but the ownership and operation will.
 - The buyers will inform customers of any changes to Company and emergency contacts.
 - The buyers will provide communication regarding local billing and payment processes.



Case Schedule



Event	Date
Case Filed	October 14, 2022
Virtual Public Workshop	November 29, 2022
Party and Staff Comments Due	December 6, 2022
Virtual Customer Hearing	December 13, 2022
Customer Comments Due	December 15, 2022
Party Reply Comments Due	December 15, 2022
Final Order	TBD



Consumer Assistance

Curtis Thaden

Utilities Compliance Investigator

Consumer Assistance

- Utility Compliance Investigators assist customers to resolve issues and or disputes with the Company.
- Investigators monitor compliance with laws, commission rules, and the Company tariff.
- Investigators review issues from previous cases, review previous complaints, investigate consumer issues raised in the case, and review submitted comments from customers.

Customer Comments

- Customer Comments are due by **December 15, 2022**
 - Reference Case Number **ATL-E-22-02**
- Methods to file comments:
 - Online - Internet Website Address – puc.idaho.gov
 - Select - Case Comment Form
 - Email - Address: secretary@puc.idaho.gov
 - Mail - IPUC, P.O. Box 83720, Boise, ID 83720-0074
 - Fax - Letters or comment sheets to the Commission at 208-334-3762
- Once comments are submitted, they become part of public record and are available on the PUC's Public Website.

Idaho Public Utilities Homepage

The screenshot shows the homepage of the Idaho Public Utilities Commission. At the top, there is a navigation bar with links for Home, About Us, and Contact Us, along with the website address idaho.gov. Below this is a large banner featuring the IDAHO logo and the text PUBLIC UTILITIES COMMISSION. A search bar with the text "ENHANCED BY Google" is also present. A secondary navigation bar lists various categories: Home, Cases, File Room, Laws & Rules, Consumers, Press Releases, About us, and Contact us. The main content area is divided into several sections. On the left, there is a vertical menu with links to Case Comment Form, Annual Gross Intrastate Revenues Report Form, Electric, Telecom, Water, Natural Gas, Rail Safety, Pipeline Safety, and Multi-Utility. Below this menu are sections for Consumers (Consumer Complaint / Inquiry Form, Frequently Asked Questions, Consumer Resources), Energy Issues (Office of Energy and Mineral Resources), Agenda, Orders & Notices (Commission Agenda, Recent Orders & Notices, Subscribe to our RSS Feeds), and IPUC Guidance Documents (Pending Title 61 Utility Tariffs, Safety & Accident Reporting Rules, Case Processing Guidelines). On the right, there is a News Updates section with a list of recent news items. Below the News Updates section is a video player titled "Public Utilities Commission Video" with a play button and links to Watch later and Share. Annotations with arrows point to specific elements: a pink arrow points to the Case Comment Form link, a green arrow points to the News Updates section, and a blue arrow points to the video player.

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IDAHO PUBLIC UTILITIES COMMISSION

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News Updates

- Idaho Power VODER Study Public Hearings
- In Re COVID-19 Response - Order No. 35375
- Current Openings - Careers
- IPUC Rules of Procedure Track Changes Draft Case No. RUL-U-21-01
- Negotiated Rulemaking Summary Case No. RUL-U-21-01

Public Utilities Commission Video

Watch later Share

Watch on YouTube

Presentation slides are located in this section

Functions of the Commission video

Comment Form Page

The screenshot shows the Idaho Public Utilities Commission website. The header features the IDAHO logo and the text "PUBLIC UTILITIES COMMISSION". A navigation bar includes links for Home, Cases, File Room, Laws & Rules, Consumers, Press Releases, About us, and Contact us. A search bar is also present. Below the header, a section titled "Case Comment or Question Form" provides instructions on how to use the form. It includes contact information for the Idaho Public Utilities Commission and a disclaimer about the use of the form. The form itself is a vertical layout with fields for Case Number, First Name, Last Name, Address, City, State (a dropdown menu showing "ID"), Zip, Daytime Phone, Email, and Utility Company. A large text area for the comment is at the bottom, followed by a "Send" button. A red arrow points to the "Send" button.

IDAHO PUBLIC UTILITIES COMMISSION

Home Cases File Room Laws & Rules Consumers Press Releases About us Contact us

Case Comment or Question Form

Use this form to **file a comment** or **ask a question** about a **utility case** pending before the Commission. If you know the case number, please include it.

Submit electronically below or send in to:

Idaho Public Utilities Commission
P O Box 83720
Boise, Idaho 83720-0074
FAX: (208) 334-3762

Use the Consumer Complaint / Inquiry Form if you need help resolving a problem with a utility or have a question about your bill, disconnection of service, service reliability and outages, cost of a line extension, customer service, or other issues that are not related to a utility case.

Case Comment Form

Use this form to file a comment or ask a question about a case

Case Number:

First Name:

Last Name:

Address:

City:

State:

Zip:

Daytime Phone:

Email:

Utility Company:

I acknowledge that submitting a comment in an open case constitutes a public record under Idaho Code § 74-101 (1) and all information provided by me on this form is available for public and media inspection. My comment may be reviewed by the utility.

Ask a question or state your comment:

Send



INFORMATION

You can find case information and file comments on the PUC website:

puc.idaho.gov

Click on the link titled: Electric

Click on link titled Open Cases

Click on Case Number ATL-E-22-02

If you have questions contact the Commission

Direct: (208) 334-0300

Toll-Free: (800) 432-0369

Fax: 208-334-3762



QUESTIONS ???

FAQs

Q. In the past, there was speculation that Atlanta Power could become a CO-OP. What happened?

A. There have not been applications put before the Commission to consider the Company becoming a CO-OP.

FAQs

Q. What did Staff review regarding 61-328 requirements?

A:

Public interest – Staff will describe its analysis in Staff Comments and the Commission will determine if the sale and transfer is in the public interest.

Rate for supplying service - No change of rates is being asked for or considered in this case. If the sale and transfer is approved customer rates will not change with this case.

Bona fide intent and financial ability - Staff looked at the financial ability of the potential new owners and their plan for financing the needed improvements of the Company. The Commission will determine if the buyers meet the requirements.

FAQs

Q. What happens if the Commission does not approve the sale and transfer?

A. The parties can file for reconsideration in accordance with Commission Rules of Procedure. The Commission can either grant or deny requests for reconsideration.

Q. What happens if reconsideration is not granted, and the Commission ultimately does not approve the sale and transfer?

A. Atlanta Power would continue to be owned by Mr. Israel Ray.

FAQs

Q. What is the purchase price of the Company?

A. The purchase price is \$365,000.00 and details will be included in Staff Comments.

Q. What improvements do the new owners plan to make?

A: The potential owners have developed a five-year improvement plan that is included in the buyer's application. You can view the document on the IPUC Website using the instructions provided in slide 25.