

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION )  
OF AVISTA CORPORATION AND IDAHO ) CASE NO. AVU-E-05-5  
COUNTY LIGHT & POWER COOPERATIVE )  
TO RELEASE AN ELECTRIC CUSTOMER ) ORDER NO. 29853  
TO AVISTA )**

On August 4, 2005, Avista Corporation filed an Application seeking the Commission's approval of a contract between Avista and Idaho County Light & Power Cooperative (ICLPC) to exchange a customer. The exchange agreement is submitted for the Commission's review pursuant to the provisions of the Electric Suppliers Stabilization Act (ESSA). *Idaho Code* § 61-332 *et seq.* In this Order, the Commission grants the Application and approves the Agreement.

**BACKGROUND**

Under the ESSA, if more than one service supplier has an existing service line within 1,320 feet of a new customer, the electric supplier whose existing service line is closest to the new service entrance shall have the right to serve the customer. *Idaho Code* § 61-332C(1). However, the ESSA also allows electric suppliers to contract with one another for the purpose of exchanging customers provided that the Commission approves the agreement. *Idaho Code* § 61-333.

The Commission approves customer exchange contracts only upon finding that the transfer is consistent with the purposes of the ESSA. *Idaho Code* § 61-334(B)(1). The purposes of the ESSA are: (1) to promote harmony among and between electric suppliers; (2) prohibit the "pirating" of consumers; (3) discourage the duplication of electric facilities; (4) actively supervise the conduct of electric suppliers; and (5) stabilize the territories and consumers served with electricity by such electric suppliers. *Idaho Code* § 61-332(2).

**THE AGREEMENT**

Under the Agreement, the parties propose to exchange a single customer, Ronda Edwards. ICLPC has agreed to relinquish the right to serve Ms. Edwards' property in Grangeville, Idaho to Avista.

According to the Agreement, ICLPC has a transmission line within 250 feet of Ms. Edwards' property, and Avista has an existing line within 600 feet of the property. However, it would cost ICLPC considerably more than it would cost Avista to provide service to Ms. Edwards' property. Avista is willing to supply the electric service to Ms. Edwards; ICLPC is willing to release Ms. Edwards as a customer; and Ms. Edwards supports the exchange.

#### **COMMISSION FINDINGS**

Based on our review of the Application, we find that the Application for approval of a customer exchange agreement should be granted. The Agreement is consistent with the purposes of the ESSA and is the least-cost solution to the customer. Further, both the electric suppliers and the customer support the Agreement. Therefore, it is appropriate for the Commission to issue this Order approving the Application.

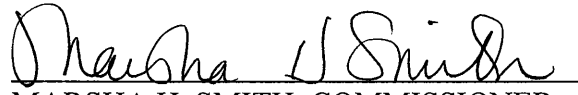
#### **ORDER**

IT IS HEREBY ORDERED that the Application of Avista Corporation to approve an agreement between Avista Corporation and Idaho County Light and Power Cooperative to release an electric customer is granted.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* §§ 61-626, 63-3029I(4).

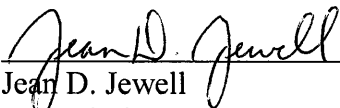
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 24<sup>th</sup>  
day of August 2005.

  
PAUL KJELLANDER, PRESIDENT

  
MARSHA H. SMITH, COMMISSIONER

  
DENNIS S. HANSEN, COMMISSIONER

ATTEST:

  
Jean D. Jewell  
Commission Secretary

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