

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF NORTHERN LIGHTS,	)	CASE NO. C10-E-26-01
INC.'S APPLICATION FOR APPROVAL OF	)	
ITS 2026-2028 WILDFIRE MITIGATION	)	ORDER NO. 37174
PLAN	)	
_____	)	

On February 2, 2026, Northern Lights Inc. (“Company”) filed its 2026-2028 Wildfire Mitigation Plan (“2026 WMP”) with the Idaho Public Utilities Commission (“Commission”). On February 19, 2026, the Company filed an updated application (“Application”), requesting approval of its 2026 WMP, in accordance with the Wildfire Standard of Care Act, *Idaho Code* § 61-1801, *et seq.* (“WSCA”).

On March 19, 2026, the Commission issued a Notice of Application and Notice of Intervention Deadline, setting a deadline for interested parties to file a petition to intervene. Order No. 36963. No petitions to intervene were filed. On April 30, 2026, the Commission issued a Notice of Modified Procedure, establishing written comment deadlines. Order No. 37023. Commission Staff (“Staff”) and the Idaho Department of Lands (“IDL”) filed comments, to which the Company replied. No other comments were received.

On July 31, 2026, the Commission issued Final Order No. 37120 (“Order No. 37120”) denying approval of the Company’s 2026 WMP and outlining that the Commission expected future filings to address the concerns and recommendations the Commission identified and outlined in the Order. Order No. 37120 at 17. On August 21, 2026, the Company filed a petition for reconsideration of Order No. 37120 (“Petition”). On August 24, 2026, the Company filed a Motion to Admit Records from Related Commission Proceedings and Request for Official Notice (“Motion”).

Based on our review of the record, we issue this Order granting reconsideration and the Motion.

PETITION FOR RECONSIDERATION

The Company’s Petition requested the Commission grant reconsideration by reversing Order No. 37120 and issue a new order approving the 2026 WMP or, in the alternative, that the Commission modify Order No. 37120 to conditionally approve the 2026 WMP. *Id.* at 29–30.

The Company presented six arguments on reconsideration: (1) that it was not reasonable for the Commission to accept IDL’s alleged non-individualized assessment of the 2026 WMP; (2) that the Commission exceeded its statutory authority under *Idaho Code* § 61-1804(3) when it applied the presumption of reasonableness to IDL’s recommendation that the 2026 WMP be rejected; (3) that the Commission utilized an “undefined, non-statutory standard of deference” when it accepted IDL’s recommendation that the 2026 WMP be rejected; (4) that the Commission also exceeded its statutory authority when it imposed conditions of approval that is not explicitly stated in the WSCA and when it failed to explain its reasoning for doing so; (5) that the Commission’s decision was not supported by substantial evidence because it did not address or reconcile the conflicting technical assessments conducted by Staff and IDL; and (6) that in the event the Commission does not reverse its decision to reject the 2026 WMP, the Company argued that the Commission should grant conditional approval of the 2026 WMP with a specified compliance filing timeline. *Id.* at 5–6.

MOTION

The Company asked the Commission to admit into the record comments from IDL in the following cases:

1. IDL Comments filed in Case No. C07-E-25-01 (Kootenai Electric Cooperative, Inc. Wildfire Mitigation Plan); and
2. IDL Comments filed in Case No. C11-E-26-01 (Raft River Rural Electric Co-Op Inc. Wildfire Mitigation Plan).

Motion at 1. The Company also requested the Commission to take official notice of its Order Nos. 36774 and 37081 in accordance with Commission Procedural Rule 263. *Id.*; IDAPA 31.01.01.263.

COMMISSION FINDINGS AND DECISION

The Commission has the authority to grant or deny reconsideration pursuant to *Idaho Code* § 61-626(2). Reconsideration allows any interested person to bring to the Commission’s attention any question previously determined, and it affords the Commission an opportunity to rectify any mistakes or omissions. *Washington Water Power Co. v. Kootenai Environmental Alliance*, 99 Idaho 875, 879, 591 P.2d 122, 126 (1979). A petitioner can only request reconsideration of a matter that was already determined in the final order. *Idaho Code* § 61-626(1). A petition for reconsideration cannot be used as a mechanism to introduce new facts or arguments for the

Commission's consideration. *See Idaho Code* § 61-626(1). Further, Commission Procedural Rule 331 provides:

Petitions for reconsideration must specify (a) why the order or any issue decided in it is unreasonable, unlawful, erroneous or not in conformity with the law, and (b) the nature and quantity of evidence or argument the petitioner will offer if reconsideration is granted.

IDAPA 31.01.01.331.01.

The Commission has reviewed the record in this case. Based on our review, we grant reconsideration to allow the Company to supplement the record in this case with all documentation that the Company considers relevant and within the scope of reconsideration. The Commission also grants other interested parties and IDL an opportunity to file responsive comments to the Petition. The Commission finds it necessary to set a briefing schedule for the Company and interested parties to file relevant documentation and responsive comments.

Accordingly, the Commission hereby orders the Company to file all documentation that the Company considers relevant and within the scope of reconsideration within 14 days of the date of this Order. Once the Company's supplemental documentation is fully submitted, all other interested parties and IDL shall have 21 days to file any responsive comments. The Company shall then have an additional 7 days in which to file any replies to the responses.

When supplementing the record, the Company is encouraged to provide information: (1) the Company considers relevant to the Company's wildfire risk modeling and why identifiable wildland urban interface, the Company's infrastructure (including the type and condition of infrastructure), and other comparable data were not included in the modeling process and why, despite that information not being included in the 2026 WMP, the 2026 WMP demonstrates how the Company plans to avoid and minimize wildfire risk and how it is using approaches and methods designed to protect the public good, in accordance with the WSCA; and (2) regarding why the 2026 WMP could not or cannot be updated with the WMP Update Materials and IDL Recommendations, as those terms are defined in Order No. 37120.¹ Additionally, when filing responsive comments, the Commission encourages IDL to clarify the basis of IDL's concerns

¹ The Commission notes that pursuant to Order No. 37120, the Company is permitted to file **at any time** an updated 2026 WMP that incorporates the WMP Update Materials and the IDL Recommendations, as those terms are defined in Order No. 37120.

regarding the validity of the 2026 WMP's risk modeling and its recommendation that the 2026 WMP be rejected.

Further, we find it reasonable to admit into the record in this case IDL's comments in Case Nos. C07-E-25-01 (Kootenai Electric Cooperative, Inc. Wildfire Mitigation Plan) and C11-E-26-01 (Raft River Rural Electric Co-Op Inc. Wildfire Mitigation Plan). Finally, the Commission takes official notice of its Order Nos. 36774 and 37081.

ORDER

IT IS HEREBY ORDERED that the Company's request for reconsideration is granted.

IT IS FURTHER ORDERED that the Company shall have 14 days to supplement the Petition with all documentation the Company considers relevant for reconsideration.

IT IS FURTHER ORDERED that once the Company's supplemental documentation is fully submitted, all other interested parties and IDL shall have 21 days to file any responsive comments to the Petition.

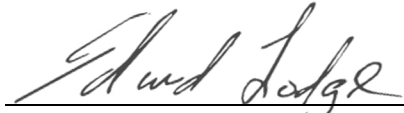
IT IS FURTHER ORDERED that once all other interested parties and IDL have filed any responsive comments, the Company shall have a subsequent 7 days to file any replies to the responsive comments.

IT IS FURTHER ORDERED that IDL's comments filed in Case Nos. C07-E-25-01 and C11-E-26-01 are admitted into the record.

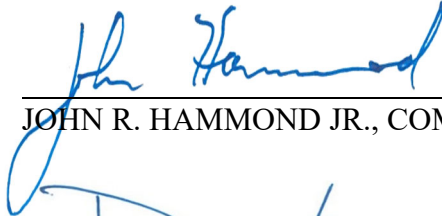
IT IS FURTHER ORDERED that the Commission takes official notice of its Order Nos. 36774 and 37081.

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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 18th day of September 2026.



EDWARD LODGE, PRESIDENT



JOHN R. HAMMOND JR., COMMISSIONER



DAYN HARDIE, COMMISSIONER

ATTEST:



Monica Barrios-Sanchez
Commission Secretary

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