

## BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION	)	CASE NO. C12-E-25-02
OF RIVERSIDE ELECTRIC COMPANY,	)	
LIMITED AND EAST END MUTUAL	)	
ELECTRIC, LIMITED FOR AN ORDER	)	ORDER NO. 36781
APPROVING A SERVICE TERRITORY	)	
AGREEMENT BETWEEN THE	)	
APPLICANTS	)	

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On June 11, 2025, Riverside Electric Company, Limited (“Company”) and East End Mutual Electric, Limited (“East End”) (collectively “Parties”) applied to the Idaho Public Utilities Commission (“Commission”) requesting approval of a Service Territory Agreement (“Agreement”) between the Company and East End (“Application”).

On July 23, 2025, the Commission issued a Notice of Application and Notice of Modified Procedure setting an August 14, 2025, deadline for initial comments and an August 28, 2025, deadline for the Company’s reply comments. Order No. 36682. Staff filed comments on August 14, 2025. The Company did not file reply comments. The Commission received no public comments.

Based on our review of the record, the Commission now issues this Final Order approving the Agreement between the Parties.

### BACKGROUND

The Electric Supplier Stabilization Act (“ESSA”) prohibits an electric supplier (e.g., a utility, municipality, or co-op) from serving another electric supplier’s existing or former customers. *Idaho Code* § 61-332B. *Idaho Code* § 61-332(2) provides that the purpose of the ESSA is to: (1) promote harmony between electric suppliers; (2) prohibit the “pirating” of consumers; (3) discourage duplication of electric facilities; (4) actively supervise the conduct of electric suppliers; and (5) stabilize service territories and consumers. The ESSA enables electric utilities to allocate territories and customers if certain conditions are satisfied. The ESSA allows electric suppliers to contract for the purpose of “allocating territories, consumers, and future consumers . . . and designating which territories and consumers are to be served by which contracting electric supplier.” *Idaho Code* § 61-333(1). Such contracts must be submitted to the Commission for

approval. *Id.* The Commission will approve contracts reviewed under the ESSA if, after notice and opportunity for hearing, the Commission finds that the Agreement conforms with the purposes of the ESSA. *See Idaho Code* §§ 61-333(1) and 61-33413(1).

### **THE APPLICATION**

The Parties stated that they have had an existing territory agreement between them. Application at 2. The Parties stated that such territory agreement predates the amendment to *Idaho Code* § 61-333 that requires Commission approval of territory agreements; therefore, the Parties applied for Commission approval of a written memorialization of the existing territory agreement. *Id.* The parties included a copy of the Agreement attached as Exhibit A to the Application. *Id.* The Parties represented that the Agreement was negotiated between the Parties to settle a service territory between the Parties, to provide for stability of service, to eliminate duplication of services, and to provide safety in the service territories. *Id.* The Parties stated that they believed the Agreement is in the best interest of both entities and their customers. *Id.*

### **STAFF COMMENTS**

Staff reviewed the Service Territory Agreement and recommended that the Commission approve the Agreement. Staff Comments at 2. Staff believed the Agreement included several terms and conditions that were consistent with the purpose of the ESSA. *Id.* Staff concluded that the terms of the Agreement that met the requirements of the ESSA included: (1) the specified boundaries between the service territories that each Party will use to serve customers; (2) the assignment of existing customers in the specified territories; (3) a process for entering into an agreement to serve a new customer that can be more efficiently served by the other Party; and (4) exceptions of customers in the defined territories. *Id.*

### **COMMISSION FINDINGS AND DECISION**

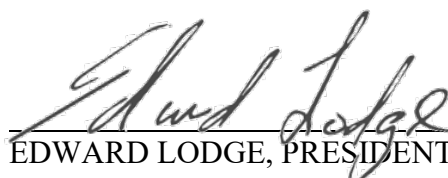
The Commission has reviewed the record, including the Application, Agreement, and comments. Specifically, as required by *Idaho Code* § 61-333, the Commission finds that the Agreement is consistent with the public interest and promotes harmony between electric suppliers, prohibits the “pirating” of consumers, discourages duplication of electric facilities, actively supervises the conduct of electric suppliers, and stabilizes the service territory and consumers served by the Parties. We find the proposed Agreement follows the ESSA and prior Commission orders. We therefore find it reasonable to approve the Parties’ Agreement.

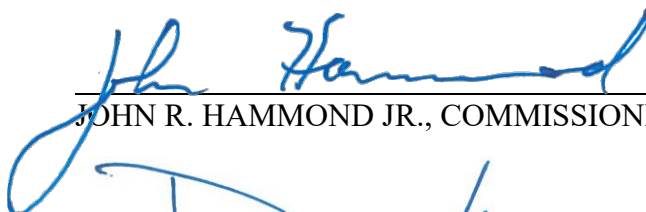
## ORDER


IT IS HEREBY ORDERED that the Agreement between the Parties, identified in the Application, is approved as filed.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order regarding 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.


DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 30<sup>th</sup> day of September 2025.

  
EDWARD LODGE, PRESIDENT

  
JOHN R. HAMMOND JR., COMMISSIONER

  
DAYN HARDIE, COMMISSIONER

ATTEST:

  
Laura Calderon Robles  
Interim Commission Secretary

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