

## **DECISION MEMORANDUM**

**TO: COMMISSIONER ANDERSON  
COMMISSIONER HAMMOND  
COMMISSIONER LODGE  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL**

**FROM: CHRIS BURDIN  
DEPUTY ATTORNEY GENERAL**

**DATE: JANUARY 16, 2024**

**SUBJECT: IN THE MATTER OF UNITED ELECTRIC CO-OP INC.'S FORMAL  
COMPLAINT FOR VIOLATION OF CONTRACT ENTERED INTO  
PURSUANT TO THE IDAHO ELECTRIC STABILIZATION ACT; CASE  
NO. C15-E-23-01.**

On February 22, 2023, United Electric Co-op, Inc. (“United”) filed a formal complaint (“Complaint”) with the Idaho Public Utilities Commission (“Commission”). United alleges that the City of Burley, Idaho (“Burley” or “City”), violated a series of service agreements (“Agreements”) related to the allocation of the respective electric service territory and customers by and between the City and United, which were entered into pursuant to the Idaho Electric Stabilization Act (“ESSA”), and that have been approved by order of the Commission.

On January 11, 2024, United and Burley filed a Joint Application to Approve Customer Allocation Agreement and Notice of Intent to Dismiss Complaint (“Application”). United and Burley request that the Commission issue an order approving the submitted Customer Allocation Agreement without modification or condition. United and Burley represent that once the order is issued, final, and non-appealable, United will submit a notice of withdrawal of its Complaint.

### **STAFF RECOMMENDATION**

Commission Staff recommends the Commission issue a Notice of Application and Notice of Modified Procedure establishing a twenty-eight (28) day initial comment deadline, followed by a fourteen (14) day reply comment deadline.

## COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure establishing a twenty-eight (28) day initial comment deadline, followed by a fourteen (14) day reply comment deadline?



Chris Burdin  
Deputy Attorney General

I:\Legal\ELECTRIC\C15-E-23-01\memos\C15E2301\_dec4\_not\_app\_mod\_cb.docx