

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER'S)	CASE NO. IPC-E-19-15
APPLICATION TO EVALUATE SCHEDULE)	
84 – NET METERING)	NOTICE OF INTERVENTION
)	DEADLINE
)	
)	ORDER NO. 34335

On April 5, 2019, Idaho Power Company (“Idaho Power” or “Company”) filed an Application requesting the Commission initiate a process to study the continued reasonableness of terms in Schedule 84 for commercial, industrial, and irrigation (“CI&I”) net metering customers.

On April 18, 2019, the Commission issued a Notice of Application and Notice of Procedural Comment Deadline. Order No. 34315. The Commission established a two week comment period for interested parties to comment on how this case should be processed in relation to IPC-E-18-15 and IPC-E-18-16. Procedural comments were submitted by City of Boise, Idaho Clean Energy Association, Idaho Conservation League and Vote Solar, Idaho Irrigation Pumpers Association, Micron Technology, Russell Schiermeier, Idaho Chapter Sierra Club, Commission Staff, and the Company.

On May 9, 2019, the Commission held a Decision Meeting at which it discussed the procedural comments of the parties and determined that this case should be processed as a stand-alone case and not integrated into either ongoing docket.

DISCUSSION AND FINDINGS

We find that the scope of IPC-E-18-15 should not be broadened to include the interests of CI&I customers under Schedule 84. IPC-E-18-15 stems from IPC-E-17-13, which focused on net metering for residential and small general service customers. If we were to merge IPC-E-18-15 and this case, CI&I net metering customers would be unfairly disadvantaged by not having the benefit of full participation in the IPC-E-18-15 docket. Further, infusing a new set of parties with different factual considerations late in that process would likely derail or at least greatly delay settlement prospects. While we will process this case as a stand-alone case, we expect consistent application of principles across the dockets. Findings in IPC-E-18-15 will be presumptively reasonable in this docket, although not binding. We also find that the scope of IPC-E-18-16 is not impacted by this filing.

We further find that the Company has not sufficiently justified the suspension of Schedule 84 to new applicants while this case is being processed. The Company requested suspension of Schedule 84 to new applicants until the value of excess net energy, and other issues pertinent to the Company's net metering program, are determined. The Company expressed concern that customers are deciding to install net metering systems on a misguided assumption that retail net metering rates will continue indefinitely. The Company notes it is studying value-based compensation structures for net metering participants, the implementation of which will likely impact the economic calculus of investing in a net metering system. We reiterate: Rates and rate structures are always subject to change. Although this Commission must approve any rate changes as just, reasonable, and non-discriminatory before they take effect, there is no guarantee that rates will stay the same indefinitely. Therefore, the likelihood of a change in rates or rate structure is not a unique situation that justifies suspending a program. CI&I customers are well-served in both regulatory proceedings and this Commission's authority and responsibilities. We expect these customer classes to be fully represented in this proceeding. Indeed, the Idaho Irrigation Pumpers Association has already intervened. As long as solar installers and other sellers of net metering systems are not misrepresenting how utility rates and rate structures operate, customers should have sufficient understanding that a change in rates and/or rate structures will impact the payback period for a net metering system.

We decline to commit ourselves or the parties to a timeline by which to decide the issues in this case until the parties have an opportunity to meet and discuss scheduling. This case will broadly impact the ability of the Company's customers to generate their own electricity, and will also impact the Company's electric system. We understand the value of providing greater regulatory certainty to market participants, customers, and the Company through a speedy resolution of these matters. We also understand that reaching compromise and constructing a well thought out net metering program that appropriately balances the interests of all involved takes time. The Company has repeatedly stated it wants to collaboratively work through the issues that must be explored to establish a fair and effective net metering program. We encourage the Company to continue this approach so long as it reasonably progresses toward compromise.

We previously suspended the Company's proposed effective date of April 5, 2019 until October 7, 2019. *See* Order No. 34315 (suspending effective date for 30 days plus 5 months under Idaho Code § 61-622(4)). We will continue this suspension. We may thereafter extend the

suspension for 60 more days on a finding of good cause, or permanently upon the written consent of the party who requested the change to its tariff. *Id.* If settlement negotiations are ongoing as the initial October 7, 2019 suspension deadline approaches, we expect the Company to provide timely written consent to extend the suspension period as needed.

NOTICE OF INTERVENTION DEADLINE

YOU ARE HEREBY NOTIFIED that persons who wish to intervene in this matter to obtain the rights of a party (e.g., to file formal discovery, or present evidence or cross-examine witnesses at a hearing) must file a Petition to Intervene with the Commission under the Commission's Rules of Procedure 72 and 73, IDAPA 31.01.01.072 and .073. **Persons who wish to intervene as a party must file a Petition to Intervene no later than 14 days from the service date of this Order.** Such persons shall also provide the Commission Secretary with their electronic mail address to facilitate further communications.

YOU ARE FURTHER NOTIFIED that persons who would like to present their views without parties' rights of participation and cross-examination are not required to intervene but may present their views by submitting written comments to the Commission.

YOU ARE FURTHER NOTIFIED that the Commission Secretary shall issue a Notice of Parties after the deadline for intervention has passed. The Notice of Parties shall assign exhibit numbers to each party in this proceeding.

YOU ARE FURTHER NOTIFIED that once the Notice of Parties is issued, Commission Staff will informally confer with the parties to discuss a schedule to process this case and other issues as raised by the parties.

ORDER

IT IS HEREBY ORDERED that IPC-E-19-15 will be processed as a stand-alone case.

IT IS FURTHER ORDERED that persons desiring to intervene for the purpose of obtaining parties' rights of participation must file a Petition to Intervene with the Commission, under Rules 72 and 73, IDAPA 31.01.72-.73, no later than 14 days from the service date of this Order.

IT IS FURTHER ORDERED that, after the Secretary issues a Notice of Parties, Staff will informally confer with the parties as referenced above.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 15th day of May, 2019.


PAUL KJELLANDER, PRESIDENT


KRISTINE RAPER, COMMISSIONER


ERIC ANDERSON, COMMISSIONER

ATTEST:


Diane M. Hanian
Commission Secretary

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