

Idaho Public Utilities Commission
Office of the Secretary
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DEC 02 2019

Diane Holt
Idaho Public Utility Commission
Secretary to the Commission

Boise, Idaho

12/1/2019

Reference: Case No. IPC-E-19-28
Petition to reconsider order No. 34492

Dear Ms. Holt,

We have read with interest the Commissions order to the formal complaint reference in Case No. IPC-E-19-28.

This order is particularly interesting because the Commission promulgated a ruling which favored the Idaho Power Company despite the validity of the complaint itself and the support and agreement the Deputy Attorney general offered in his considered legal opinion. In their effort to reach their decision the Commission first failed to address the complaint itself as well as Idaho Power's response to the complaint. They then issued a ruling on a detail that was not at issue in the complaint and was not contested by Idaho Power. They did this without asking for comment by either affected party. And they did this in the absence of the facts in the case. I do not believe we have been afforded due process.

I would ask that the Commission set aside their current ruling and reconsider Order No. 34492.

These are some of the facts:

From its very inception Mr. Comer and Mr. Goodman have been equal partners in the Goodco power project which did then, and does still today, qualify for net metering status. Acting as Goodco Power Company Mr. Goodman and Mr. Comer developed this net metering project in 2006. There are many facts that demonstrate the existence of this partnership. The FERC permit was issued to Goodco power. The Idaho Department of Water Resources issued the Water Right License to the partnership in the name of Jack Goodman. Idaho Power sends a power usage statement to Goodco Power once a month at the address where Mr. Goodman lives. The project lies on property owned by Mr. Goodman at the intake structure and by Mr. Comer at the generation site. Each of the partners contributed an equal financial investment in the project.

Idaho Power Company worked cooperatively with these partners through the development of policy (this was their first hydro net metering project). They also offered support through the construction, and commissioning stages. At that time they considered the project to be a brick and mortar example of their efforts to demonstrate their dedication to their commitment to benefit the environment.

Jeff Comer