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IDAHO PUBLIC
UTILITIES COMMISSION

Julia Hilton
Deputy General Counsel and
Director of Legal
jhilton@idahopower.com

December 24, 2020

ELECTRONIC FILING

Jan Noriyuki, Secretary
Idaho Public Utilities Commission
11331 W. Chinden Boulevard
Building 8, Suite 201-A
Boise, Idaho 83714

Re: Case No. IPC-E-20-26
In the Matter of Idaho Power Company's Application for Authority to
Modify Schedule 84's Metering Requirement and to Grandfather Existing
Customers with Two Meters

Dear Ms. Noriyuki:

Attached for electronic filing, pursuant to Order No. 34602, is Idaho Power
Company's Answer to Gietzen Solar, LLC's Petition for Reconsideration.

If you have any questions about the attached document, please do not hesitate to
contact me.

Very truly yours,

Julia Hilton

JH:sdh
Attachment

JULIA HILTON (ISB No. 7740)
Idaho Power Company
1221 West Idaho Street (83702)
P.O. Box 70
Boise, Idaho 83707
Telephone: (208) 388-6117
Facsimile: (208) 388-6936
jhilton@idahopower.com

Attorney for Idaho Power Company

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)	
COMPANY'S APPLICATION FOR)	CASE NO. IPC-E-20-26
AUTHORITY TO MODIFY SCHEDULE)	
84's METERING REQUIREMENT AND TO)	IDAHO POWER COMPANY'S
GRANDFATHER EXISTING CUSTOMERS)	ANSWER TO GIETZEN SOLAR,
WITH TWO METERS.)	LLC'S PETITION FOR
)	RECONSIDERATION

On December 17, 2020, Gietzen Solar, LLC ("Gietzen Solar"), served a Petition for Reconsideration ("Petition") requesting that the Idaho Public Utilities Commission ("Commission") clarify and/or reconsider the portion of Order No. 34854 that sets forth eligibility criteria for legacy treatment for customers who have applied for interconnection under Schedule 84, Customer Energy Production Net Metering ("Schedule 84") by the service date of the order. Gietzen Solar's Petition also claims that Idaho Power Company's ("Idaho Power" or "Company") existing procedure for processing the applications that were received by the order date has exposed both Gietzen Solar and its customers to potential discrimination.

Idaho Power, in accordance with *Idaho Code* § 61-626 and RP 331.02 and 331.05, files this Answer to Gietzen Solar's Petition. Idaho Power will (1) provide background on

how it has applied the Commission's criteria for grandfathering in Order No. 34854 and the Company's procedures for identifying fully submitted applications, and (2) respond to statements made by Gietzen Solar regarding when potential Schedule 84 customers would have been made aware of the Company's proposal in this case.

I. APPLICANT CRITERIA FOR GRANDFATHERING

Order No. 34854 defined existing customer-generators as those that interconnected a system by the service date of the order or who have applied for interconnection under Schedule 84 by the service date of the order and interconnect their system within one year.¹ The Commission's order addressed those customers and systems that had *already* "made a significant investment in an on-site system based on reasonable reliance of program stability," stating it would be "fair just, and reasonable, non-discriminatory, and in the public interest to allow those customer-generators to recoup the value of their investments over the anticipated life of their investment" and that "legacy treatment is only appropriate in limited circumstances."²

The Commission's focus appears to be intended to protect customers who made a financial investment, and the Company does not believe the Commission intended to create a situation that incentivized installers to submit applications *after* reading the Commission Order. The Company received several inquiries from installers on the afternoon of December 1, 2020, after Order No. 34584 was issued. For example, one installer submitted 49 applications and application fees on December 1, 2020 on behalf of a potential customer. In the days following, that customer contacted Idaho Power requesting to rescind the 49 applications because the solar installer provided the

¹ Order No. 34854 at 12.

² *Id.*, at 11.

customer with misleading information. Idaho Power is concerned that instead of focusing on protecting customers who have already made or are on the cusp of making financial investments, Gietzen Solar is attempting to manipulate the Commission's grandfathering criteria for its own financial gain.

Idaho Power is focused on equitable and consistent treatment in accepting customer applications, and there has been no discrimination in Idaho Power's procedures for processing applications as Gietzen Solar's Petition suggests. Schedule 72, Interconnections to Non-Utility Generation ("Schedule 72"), Section 2 (Application Process) states:

1. Customers must submit a **completed application form and \$100 application fee** to the Company. Applications are available on the Company's website or will be provided to the Customer upon request.
2. Upon **receipt of a completed application and \$100 fee**, the Company will provide the Customer with written or electronic mail notification that the application has been received and all necessary information has been provided. (Third Revised Sheet No. 72-7, emphasis added)

As set forth in Schedule 72, the Company's business practice is to consider an application fully submitted as of the date a completed application form and \$100 application fee is received; Idaho Power has consistently applied this standard to all applications received. The Company believes it is both reasonable and necessary not to modify the business process that is used to identify fully submitted applications. Further, to determine whether a customer is eligible for legacy treatment, the Company required a fully submitted application to be physically received by the Company on or before December 1, 2020.

II. CUSTOMER AND INSTALLER NOTICE

In order to proactively ensure that all customers were aware of potential changes to these rules, after filing the Application in this case, the Company sent a bill insert to

every Schedule 9, Large General Service, Schedule 19, Large Power Service, and Schedule 24, Agricultural Irrigation Service customer notifying them of the proposed filing (see Application, Attachment 3); the notices were provided in customer bills between July 6 and August 4, 2020. Additionally, installers received an email on June 25, 2020, notifying them of the case and the requested effective date of December 1, 2020 (see Application, Attachment 4). Gietzen Solar attempts to suggest that it was disadvantaged due to the timing and lack of appropriate notice for a customer to decide to proceed with an investment, but the Company took steps to ensure that customers and installers had ample notice of potential changes. The Company did not disadvantage any customer or installer by administering the provisions of Schedule 72 when processing the applications.

III. CONCLUSION

Idaho Power respectfully requests the Commission issue an order denying Gietzen Solar's Petition for reconsideration and find that (1) the Company's procedure for identifying fully submitted applications (application form and fee) is fair, just, and reasonable, (2) a fully submitted application physically received by the Company on or before December 1, 2020, is considered eligible for legacy treatment, and (3) potential customers and installers received reasonable notice of the Company's Application and the potential for changes to the tariff.

DATED at Boise, Idaho, this 24th day of December 2020.



Julia Hilton
Attorney for Idaho Power Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of December, 2020 I served a true and correct copy of the within and foregoing IDAHO POWER COMPANY'S ANSWER TO GIETZEN SOLAR, LLC'S PETITION FOR RECONSIDERATION upon the following named parties by the method indicated below, and addressed to the following:

Commission Staff

Edward Jewell
Deputy Attorney General
Idaho Public Utilities Commission
11331 West Chinden Blvd., Bldg No. 8
Suite 201-A (83714)
Boise, ID 83720-0074

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX
 Email edward.jewell@puc.idaho.gov

Idaho Irrigation Pumpers Association, Inc.

Eric L. Olsen
Echo Hawk & Olsen, PLLC
505 Pershing Ave., Suite 100
PO Box 6119
Pocatello, ID 83205

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX
 Email elo@echohawk.com

Anthony Yankel
12700 Lake Ave. Unit 2505
Lakewood, OH 44107

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX
 Email tony@yankel.net

Idaho Conservation League

Benjamin J. Otto
Idaho Conservation League
710 N. 6th Street
Boise, ID 83702

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX
 Email botto@idahoconservation.org

City of Boise City

Scott Muir
Deputy City Attorney
Boise City Attorney's Office
105 N. Capitol Blvd.
PO Box 500
Boise, ID 83701-0500

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX
 Email BoiseCityAttorney@cityofboise.org

Micron Technology, Inc.
Austin Rueschhoff
Thorvald A. Nelson
Holland & Hart, LLP
555 17th Street, Suite 3200
Denver, CO 80202

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX
 Email darueschhoff@hollandhart.com
tnelson@hollandhart.com
aclee@hollandhart.com
glgarganoamari@hollandhart.com

Jim Swier
Micron Technology, Inc.
8000 South Federal Way
Boise, ID 83707

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX
 Email jswier@micron.com

Idaho Sierra Club
Kelsey Jae
Law for Conscious Leadership
920 N. Clover Dr.
Boise, ID 83703

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX
 Email kelsey@kelseyjaenunez.com

Lisa Young
Mike Heckler
Idaho Sierra Club
503 W Franklin St.
Boise, ID 83702

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX
 Email lisa.young@sierraclub.org
michael.p.heckler@gmail.com

Individual
Russell Schiermeier
29393 Davis Road
Bruneau, ID 83604

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX
 Email buyhay@gmail.com

Gietzen Solar
Logan Gietzen
120 9th Ave. S.
Buhl, Idaho 83316

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX
 Email logan@gietzensolar.com

Agripower Solar, LLC
Preston N. Carter
Blake W. Ringer
Givens Pursley LLP
601 W. Bannock St.
Boise, Idaho 83702

Hand Delivered
 U.S. Mail
 Overnight Mail
 FAX
 Email prestoncarter@givenspursley.com
blakeringer@givenspursley.com



Sandra D. Holmes
Legal Administrative Assistant