

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE JOINT)	CASE NO. PAC-E-23-25
APPLICATION FOR APPROVAL OF THE)	
ASSET TRANSFER AGREEMENT)	NOTICE OF APPLICATION
BETWEEN ROCKY MOUNTAIN POWER)	
AND THE CITY OF IDAHO FALLS—)	NOTICE OF MODIFIED
GOOSE LAKE)	PROCEDURE
)	
)	NOTICE OF TELEPHONIC
)	PUBLIC HEARING
)	
)	ORDER NO. 36043

On December 8, 2023, Rocky Mountain Power, a division of PacifiCorp, (“Company”), and the City of Idaho Falls (“City”) jointly applied for an order approving the transfer of electric facilities serving a customer of the Company to the City. This asset transfer would occur alongside the transfer of the customer’s service for two vacant, meterless lots from the Company to the City. The Company asserts that the proposed transfer complies with *Idaho Code* § 61-328.

The Company requests that its Application be processed by Modified Procedure. At the Commission’s December 19, 2023 meeting, Staff recommended that the Commission issue a Notice of Application, set a public customer hearing per *Idaho Code* § 61-328, and set deadlines for written comments. We now issue Notice of the Company’s Application, Notice of Modified Procedure, and set a public telephonic hearing.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Company represents that it entered a Service Allocation Agreement with the City to decrease service duplication and increase stability in their service areas in 2017. This agreement permits the transfer of a customer’s service between the parties if the utility acquiring the customer pays the other just compensation for lost revenues and distribution facilities used to service the customer.

YOU ARE FURTHER NOTIFIED that the Company represents that one of its customers has requested the Company transfer their electrical service for two vacant, unmetered lots to the City.

YOU ARE FURTHER NOTIFIED that the Company represents that, because the lots are vacant and unmetered, the sale price reflects the value of the equipment used for the customer's service and does not include the prior twelve months of revenue.

YOU ARE FURTHER NOTIFIED that the Company represents that the proposed transaction is in the public interest because it reduces service duplication while also providing the Company just compensation.

YOU ARE FURTHER NOTIFIED that the Application and a copy of the Asset Purchase Agreement have been filed with the Commission and are available for public inspection during regular business hours at the Commission's office. The Application and attachments are also available on the Commission's website at www.puc.idaho.gov. Click on the "ELECTRIC" tab, select "Open Cases," and then locate and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter, and that it will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that persons desiring to state a position on this Application may file a written comment in support or opposition with the Commission **by January 25, 2024**. The written comment must contain a statement of reasons supporting it. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application must be sent electronically unless computer access is unavailable. To comment electronically, please access the Commission's website at www.puc.idaho.gov. Click the "Case Comment Form" and complete the form using the case number as it appears on the front of this document. Comments filed by e-mail must also be e-mailed to the Company at the e-mail

addresses listed below. If e-mail is unavailable, then comments may be mailed to the Commission and Company at these addresses:

For the Idaho PUC:

Commission Secretary
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074
secretary@puc.idaho.gov

Street Address for Express Mail:

11331 W. Chinden Blvd.
Building 8, Suite 201-A
Boise, ID 83714

For Rocky Mountain Power:

Mark Alder
Joe Dallas
1407 W. North Temple, Suite 330
Salt Lake City, Utah 84116
Mark.Alder@pacificorp.com
Joseph.Dallas@pacificorp.com

For the City of Idaho Falls:

Bear Prairie
Idaho Falls City Power
140 South Capital Avenue
Box 50220
Idaho Falls, Idaho 83405

YOU ARE FURTHER NOTIFIED that the Company may file reply comments, if necessary, by no later than **February 1, 2024**.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

NOTICE OF TELEPHONIC PUBLIC HEARING

YOU ARE FURTHER NOTIFIED that the Commission's Rules of Modified Procedure contemplate that a case will be processed by written submissions without the need for a public hearing. However, the Commission finds good cause to schedule a public hearing in this case because *Idaho Code* § 61-328, requires it.

YOU ARE FURTHER NOTIFIED that the Commission will conduct a public telephonic public hearing in this matter on **JANUARY 18, 2024, AT 2:00 P.M. (Mountain Standard Time)**. The purpose of the public hearing is to take testimony from members of the public and customers of the Company. To participate, interested persons can call **1-415-655-0001** shortly before the designated time, and enter the **meeting number 2633 606 6814** when prompted. Those planning

to testify are encouraged to start calling in to the hearing at about 1:45 p.m. (Mountain Standard Time) on January 18, 2024.

YOU ARE FURTHER NOTIFIED that the telephonic hearing will meet accessibility requirements of the Americans with Disabilities Act. Persons needing the help of a sign language interpreter or other assistance to participate in or to understand testimony at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION
P.O. BOX 83720
BOISE, IDAHO 83720-0074
(208) 334-0338 (Telephone)
(208) 334-3762 (FAX)
secretary@puc.idaho.gov

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000, *et seq.*

ORDER


IT IS HEREBY ORDERED that the deadline for written public comments is January 25, 2024, and the deadline for the Company to file a reply, if any, is February 1, 2024.

IT IS FURTHER ORDERED that a telephonic public hearing be held on the Company's Application on **Friday, January 18, 2024, at 2:00 P.M. (Mountain Standard Time)**.

IT IS FURTHER ORDERED that parties comply with Order No. 35375, issued April 21, 2022. Generally, all pleadings should be filed with the Commission electronically and will be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should continue to be accomplished electronically when possible. However, voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 29th day of December 2023.


ERIC ANDERSON, PRESIDENT


JOHN R. HAMMOND JR., COMMISSIONER


EDWARD LODGE, COMMISSIONER

ATTEST:


Monica Barrios-Sanchez
Interim Commission Secretary

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