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2020 MAY 20 AM 10:47
IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for Intermountain Gas Company

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF INTERMOUNTAIN)	CASE NO. INT-G-20-03
GAS COMPANY'S APPLICATION FOR)	
AUTHORITY TO FACILITATE)	MOTION FOR CLARIFICATION
RENEWABLE NATURAL GAS ACCESS)	REGARDING CUSTOMER
)	NOTICE
)	
)	

Intermountain Gas Company ("Intermountain" or "Company"), respectfully submits this Motion for Clarification Regarding Customer Notice pursuant to Commission Rules of Procedure 56.

BACKGROUND

On May 4, 2020, Intermountain filed the application in this case ("Application"), which requests authority to facilitate access by Renewable Natural Gas ("RNG") producers to Intermountain's distribution system to move the RNG to the producer's end-use customer. Application at 2. The Application does not seek the change rates for to Intermountain's utility customers, but instead proposes measures to fully insulate utility customers from rate impacts. Application at 7-8.

Because the Application proposed to change fees applicable to RNG producers, Intermountain provided direct notice to RNG producers by sending a letter to each producer. Intermountain did not provide direct notice to utility customers, although the Commission has

published notice of the case pursuant to its typical procedures. *See* Case No. INT-G-20-03, Notice of Application & Notice of Modified Procedure, Order No. 34667 (May 13, 2020).

The Commission's rules require that notice be provided to all customers "[i]f a utility is requesting a rate increase." Commission Rule of Procedure 125.01.a ("If a utility is requesting a rate increase, the utility shall issue a customer notice to each customer.").

The Commission's rules require notice to "affected customers" if an application is subject to Rule 122, which governs general rate cases. Commission Rule of Procedure 121.01.c. ("If the application is subject to Rule 122, a statement showing how and when the application has been or will be brought to the attention of affected customers and a copy of the press release and customer notice required by Rule 125." (emphasis added)).

Cases that do not fall under Rule 125, Rule 121, or Rule 122 (by incorporation in Rule 121) are governed by Rule 123, under which the Commission issues public notice. Commission Rule of Procedure 123.01.

REQUEST FOR CLARIFICATION

As noted, Intermountain has provided notice to its RNG producers, which are the customers affected by the Application. Direct notice to all customers does not seem to be required under Commission rules because Intermountain is not requesting a change in rates for utility customers.

Although not required by rule, Intermountain considered providing direct notice to all customers. In the end, Intermountain determined not to provide direct notice to utility customers because the Application proposes to fully insulate utility customers from all rate impacts. In addition, Intermountain did not want to cause confusion among utility customers, and particularly wanted to avoid a situation in which customers perceived that Intermountain was

proposing to purchase RNG, was proposing to provide RNG to its customers, or that Intermountain was proposing any action with respect to RNG other than allowing the producer access to Intermountain's system for the producer to transport RNG to the producer's eventual end use customers.

That said, Intermountain is aware of recent cases in which the direct notice to customer was provided under circumstances not required by the rules. *See* Case No. GSW-W-19-01, Order No. 34616 (April 2, 2020) at 1. Intermountain would like to avoid a delay in the case due to notice issues. As such, Intermountain requests that the Commission clarify what type of customer notice is required in this case.

If the Commission orders that direct notice to all customers be provided, Intermountain proposes to process as follows: Intermountain would insert customer notices beginning on May 28. Due to the billing cycle, the notices would need to be provided through June 26 to reach all customers. This is not in time to meet the current proposed effective date of June 15. Accordingly, if direct notice is required, Intermountain would propose to adjust the effective date of the application to July 15, 2020.

CONCLUSION

Intermountain respectfully requests that the Commission determine whether direct notice to all customers of the Application is required. If so, Intermountain respectfully requests that the deadlines for the case be reset to provide for a comment deadline extending through July 3; with any Company reply comments due by July 8; and a proposed effective date of July 15.

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Dated: May 20, 2020.

GIVENS PURSLEY LLP



Preston N. Carter
Attorneys for Intermountain Gas Company

CERTIFICATE OF SERVICE

I certify that on May 20, 2020, a true and correct copy of MOTION FOR CLARIFICATION REGARDING CUSTOMER NOTICE was served upon all parties of record in this proceeding via the manner indicated below:

Commission Staff

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