

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)	
RENEWABLE NATURAL GAS ACCESS)	ORDER NO. 34680
)	

On May 20, 2020, Intermountain Gas Company ("Intermountain" or "Company") filed a Motion for Clarification Regarding Customer Notice requesting the Commission determine whether Intermountain must directly notify customers about the Application.

We now grant the Company's Motion and clarify the customer notice requirements in this case.

BACKGROUND

On May 4, 2020, Intermountain applied to the Commission for authority to facilitate access for Renewable Natural Gas ("RNG") producers to the Company's distribution system for the purpose of moving RNG to their end-use customers. Intermountain requested approval of its RNG facilitation plan by June 15, 2020.

On May 13, 2020, the Commission issued a Notice of Application and Modified Procedure, setting a May 29, 2020 comment deadline and a June 4, 2020 reply comment deadline. Order No. 34667.

THE COMPANY'S MOTION

Intermountain believes direct notice is not required under the Commission's Rules of Procedure because Intermountain is not requesting a change in rates. The Company nevertheless seeks clarification from the Commission in order to avoid delay in the case due to notice issues.

The Company has already provided direct notice to RNG producers by sending a letter to each producer who may be affected by the Company's proposal. *See* Application at 7-8. The Company noted procedural Rule 125, IDAPA 31.01.01.125, requires direct notice to utility customers when a utility proposes to change rates for utility customers. The Company asserted its Application "does not seek to change rates for Intermountain's utility customers, but instead proposes measures to fully insulate utility customers from rate impacts." Company's Motion at 1; *see* Application at 7-8. Therefore, the Company does not believe direct notice to customers of the Application is required by Commission rules.

Intermountain asserted it is seeking clarification from the Commission because it is aware of recent Commission cases in which direct notice to customers was provided under circumstances not required by the Commission's rules. Because the Company has requested the Commission grant the requested authority by June 15, 2020, it hopes to avoid delaying the case due to notice issues.

FINDINGS AND DECISION

Having reviewed the Company's Motion and Application, we grant the Company's Motion. Procedure before the Commission is governed by the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.* See *Idaho Code* § 61-601. Procedural Rule 125 requires a utility to provide direct notice to its customers (either as a bill stuffer or as a separate mailing) if the utility is requesting a rate change. A rate change includes an "increase, decrease or change [to] any rate, fare, toll, rental or charge or any classification, contract, practice, rule or regulation resulting in any such increase, decrease or change..." See IDAPA 31.01.01.121.01.

Additionally, the Commission has broad authority under *Idaho Code* § 61-501 to "do all things necessary to carry out the spirit and intention of the provisions of [Title 61, Idaho Code]." At times, when a utility's proposal would significantly impact a customer class, the Commission has required the customer class be given direct notice of the utility's proposal—even though the proposal is not a rate change. *E.g.*, Case. No. GSW-W-19-01, Order No. 34579. The Commission exercises this authority rarely, however, and only under unusual circumstances.

We find that direct notice of this Application to Intermountain's customers is not required. The Company does not propose in its Application to change rates for any customer class. Indeed, the Company intends its service to RNG producers to have no financial impact on its utility customers. Therefore, we find procedural Rule 125 is not applicable to this case. Nor is this one of those unusual circumstances where the Commission would require notice beyond what is required in its Rules of Procedure.

Because Intermountain has only recently begun to facilitate access for RNG producers to its distribution system, the Commission encourages Intermountain to make its utility customers aware of the service. Educating the public about the service will help avoid confusion and misinformation. However, we leave it to the Company to decide whether to take this step.

ORDER

IT IS HEREBY ORDERED that Intermountain's Motion for Clarification Regarding Customer Notice is granted. The Commission clarifies that direct notice to Intermountain's customers is not required in this case.

IT IS FURTHER ORDERED that parties should continue to comply with Order No. 34602, issued March 17, 2020. All pleadings should be filed with the Commission electronically and shall be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should also be accomplished electronically. 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 May 2020.



PAUL KJELLANDER, PRESIDENT

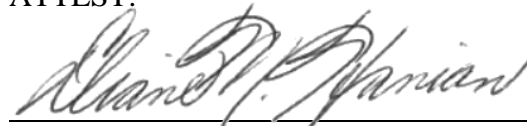


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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