

## BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

<b>IN THE MATTER OF THE APPLICATION</b>	)	<b>CASE NO. INT-G-24-05</b>
<b>OF INTERMOUNTAIN GAS COMPANY</b>	)	
<b>FOR A DETERMINATION OF 2023</b>	)	
<b>ENERGY EFFICIENCY EXPENSES AS</b>	)	<b>ORDER NO. 36860</b>
<b>PRUDENTLY INCURRED AND</b>	)	
<b>APPROVAL OF RATE SCHEDULE EE-RS</b>	)	
	)	

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On December 20, 2024, Intermountain Gas Company (“Company”) applied to the Idaho Public Utilities Commission (“Commission”) requesting an order: (1) designating \$3,846,358 of 2023 energy efficiency expenditures as prudently incurred by the Company; (2) approving the proposed revisions to Rate Schedule EE-RS; and (3) approving the Company’s use of the deemed savings methodology for evaluating the cost-effectiveness of the Energy Efficiency Program (“EE Program”) (“Application”). On October 14, 2025, the Commission issued a Final Order, approving the Company’s Application and Supplemental Application with modifications. Order No. 36797.

On November 4, 2025, the Company filed a Petition for Clarification or Reconsideration of Commission Order No. 36797 (“Petition”). The Commission did not receive any cross-petitions for reconsideration or answers to the Petition.

We now issue this Order providing clarification of Commission Order No. 36797 and denying the Petition.

### THE PETITION

The Petition concerned the Commission’s directive “that the Company’s next prudency filing shall include an [Evaluation, Measurement, and Verification Study (‘EM&V’)] with a billing analysis covering Whole Home Tier I and Furnace measures.” Order No. 36797 at 13. According to the Company, the Whole Home Tier I and Furnace measures may not produce sufficient data to allow for statistically significant EM&V results. Petition at 1. The Company represented that the results of such an EM&V would not be useful. *Id.*

Because the Company did not believe it will have a sufficient sample size or timeframe for a meaningful billing analysis, it requested the Commission issue an order stating “that the Company’s next prudency filing must contain an EM&V evaluation with a billing analysis of the Whole Home Tier I and Furnace measures *if there is sufficient data regarding these measures to conduct a statistically valid and useful EM&V study.*” *Id.* at 1–2. Otherwise, the Company stated,

ratepayer dollars may be used inefficiently to conduct the Commission-ordered EM&V analysis. The Company stated that it was willing to obtain and provide to Staff an opinion as to whether the EM&V study required “is likely to result in a statistically valid or useful study.” *Id.* at 2.

Alternatively, as the Company believed that the Whole Home Tier 1 measure may not prove cost-effective under a billing analysis, the Company indicated it was willing to retire the measure, effective December 31, 2025, if the Commission allows it to do so without a separate filing. *Id.*

### **COMMISSION FINDINGS AND DECISION**

The Commission has the authority to grant or deny reconsideration pursuant to *Idaho Code* § 61-626(2). Reconsideration allows any interested person to bring to the Commission’s attention any question previously determined, and it affords the Commission an opportunity to rectify any mistakes or omissions. *Washington Water Power Co., v. Kootenai Environmental Alliance*, 99 Idaho 875, 879, 591 P.2d 122, 126 (1979). Commission Rule of Procedure 331.01 provides:

Petitions for reconsideration must set forth specifically the ground or grounds why the petitioner contends that the order or any issue decided in the order is *unreasonable, unlawful, erroneous or not in conformity with the law*, and a statement of the nature and quantity of evidence or argument the petitioner will offer if reconsideration is granted.

IDAPA 31.01.01.331.01 (emphasis added). Any person may petition the Commission to clarify an order under Rule 325, IDAPA 31.01.01.325. A petition for clarification may be combined with a petition for reconsideration. *Id.*

Following our review of the Petition and the previously filed materials in the case record, the Commission declines to grant reconsideration of Order No. 36797. The Company has failed to adequately demonstrate that the Order “is unreasonable, unlawful, erroneous or not in conformity with the law.”

The directive that the Company conduct an EM&V with a billing analysis covering Whole Home Tier I and Furnace measures is consistent with instruction issued in Order No. 36245. In Order No. 36245, we stated that “the Company’s next prudency filing shall include an EM&V with a Billing Analysis covering Whole Home Tier I and Whole Home Tier II, Furnace, and Smart Thermostat measures.” Despite receiving no express instruction to use multiple years of data for its billing analysis, in its resulting 2024 EM&V study, the Company “evaluated projects rebated between April 1, 2021 and December 31, 2023.” Petition at 2. In this case, in spite of the fact that Order No. 36797’s language concerning an EM&V study is nearly identical to that of Order No.

36245, the Company represents that “[t]he EM&V study required by Order No. 36797...would include only projects rebated in calendar years 2024 and 2025.” *Id.*

As with Order No. 36245, in Order No. 36797, we declined to provide guidance as to the appropriate timeframe from which the Company should draw billing data for the ordered EM&V study or to limit the instances in which such a study is required. Due to the Company’s inability to demonstrate the unreasonableness, erroneousess, or unlawfulness of Order No. 36797, we deny the Company’s request to reconsider the Order. We encourage the Company to keep Staff informed of developments related to the EM&V during the required quarterly meetings.

However, the Commission sees fit to issue clarification of Order No. 36797 regarding the Company’s offer to retire the Whole Home Tier I measure. We find it more appropriate for the Company to submit a separate application to request changes to its existing DSM programs so that interested parties may participate in the proceeding. If the Company does not believe the Whole Home Tier I measure will be cost effective, it can submit a filing to the Commission requesting authority to retire the measure.

### **ORDER**


IT IS HEREBY ORDERED that the Company’s Petition for Reconsideration is denied.

THIS IS A FINAL ORDER. Any party aggrieved by this Order or other final or interlocutory Orders previously issued in this case may appeal to the Supreme Court of Idaho under the Public Utilities Law and the Idaho Appellate Rules.


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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 1<sup>st</sup> day of December 2025.

  
EDWARD LODGE, PRESIDENT

  
JOHN R. HAMMOND JR., COMMISSIONER

*Recused*  
DAYN HARDIE, COMMISSIONER

ATTEST:  
  
Laura Calderon Robles  
Interim Commission Secretary

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