

## DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER  
COMMISSIONER SMITH  
COMMISSIONER HANSEN  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL  
WORKING FILE**

**FROM: BEVERLY BARKER**

**DATE: NOVEMBER 7, 2003**

**RE: DATA COLLECTION REQUIRED OF ENERGY UTILITIES PURSUANT  
TO ORDER NO. 29165.**

### BACKGROUND

Last October, the Commission received a Joint Application from Avista Corporation, Intermountain Gas Company and PacifiCorp (Applicants) seeking authorization to implement a two-year pilot "Winter Protection Program" that established minimum monthly payments during the winter moratorium period. The Commission opened Case No. GNR-U-02-1 to consider the Applicants' request. Avista withdrew from the case on November 20, 2002. Idaho Power was not a party to this case, but did participate in discussions leading up to filing the Application and did provide data at the request of the Commission Staff.

On November 29, 2002, the Commission issued Order No. 29165 denying the Application. The Applicants and Idaho Power were directed to gather specific information, listed in an attachment to the Order, "to ensure that we have the necessary information to properly evaluate any future changes to the winter moratorium rules". Order No. 29165 at 10. The majority of the required information specifically referred to the December 2002 through May 2003 time period. See attachment.

### STAFF ANALYSIS & RECOMMENDATION

The Commission did not receive a request to modify the moratorium this year. Staff has received most of the information required by the Order and is now in the process of gathering the remaining information. Staff contemplates doing an analysis of that data and submitting a report

to the Commission by the end of this year. Avista, Intermountain Gas, PacifiCorp and Idaho Power have informally inquired as to whether there is a continuing obligation to collect the information required by the Order. Subsequently, Intermountain Gas indicated that it would continue to collect the same information during the 2003-2004 moratorium period. The Company indicated that changes in its procedures and prices, as well as last year's warmer winter weather, made it questionable as to whether the existing information is representative of what the Company might expect to happen in the future. The Company is willing to share that additional information with the Commission. Staff agrees that collection of additional information for Intermountain Gas would be helpful.

Order No. 29165 states, "IT IS FURTHER ORDERED that utilities intending to seek future modification of the Commission's winter moratorium eligibility rules collect the information identified in the Attachment to this Order." At the time the Order was issued, it appeared likely that at least one utility would pursue modification of the rules in 2003. Clearly, the Commission decided that it was important to have certain information to use in future deliberations. It is difficult to predict when, if ever, another request to modify the moratorium will be presented to the Commission.

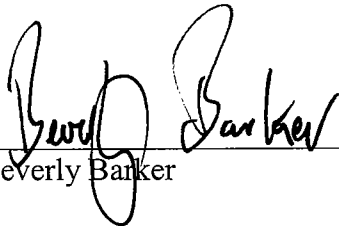
Staff believes that, with the exception of Intermountain Gas, collection of all the required information during 2002 and 2003, together with information provided by the utilities in Case No. GNR-U-02-1 is sufficient to provide a baseline for future discussions about modification of the moratorium. Staff commends Intermountain Gas for its willingness to collect information for another moratorium period. Staff recommends that information collected by Avista, PacifiCorp and Idaho Power pursuant to Order No. 29165 for the period from December 2002 through May 2003 be considered sufficient to satisfy the requirements of the Order.

After it has an opportunity to review Staff's report on the information already collected, the Commission may want to provide further direction to the affected utilities. Some information required by the Order, such as utility revenue and collection information, will be available upon Staff request. However, Staff recognizes that certain customer-specific information, e.g., income level at the time of declaring moratorium eligibility, will not be available unless utilities take steps to collect the information during this and future heating seasons.

**COMMISSION DECISION**

Does the Commission agree that collection of the information by Avista, PacifiCorp, and Idaho Power as required by Order No. 29165 for the period from December 2002 through May 2003 satisfies the requirements of the Order?

Does the Commission agree that collection of additional information by Intermountain Gas for the period from December 2003 through May 2004 would satisfy the requirements of the Order?

  
Beverly Banker

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**MORATORIUM INFORMATION REQUIRED  
FOR FUTURE COMMISSION REVIEW**

**Establishing a Baseline**

How many residential customers were served at the end of the calendar year 2002? For PacifiCorp, how many residential customers were served at the end of the fiscal year (March 2003)?

**Inability to Pay**

How many residential customers declared moratorium eligibility during the months of December 2002 and January and February 2003? List the number of customers who declare during each month separately.

For those customers declaring moratorium eligibility, how many:

Had children (18 or under) in the household?

Had elderly (62 or older) in the household?

Met the income eligibility guidelines for LIHEAP?

For those that meet LIHEAP income eligibility guidelines, how many actually receive LIHEAP benefits?

How many residential customers received LIHEAP benefits but did not declare moratorium eligibility?

**Participation in Level Pay Plans and Winter Payment Plans**

How many moratorium eligible customers sign up for a regular Level Pay Plan? How many make all monthly payments as agreed during the months of December, January and February? Payments may be from any source, including LIHEAP benefits.

How many moratorium eligible customers sign up for a Winter Payment Plan? How many make all monthly payments as agreed during the months of December, January and February? Payments may be from any source, including LIHEAP benefits.

**Payment History**

For those moratorium eligible customers who receive LIHEAP benefits, how many make no payment other than the LIHEAP benefit amount during the months of December, January and February?

For those moratorium eligible customers who do not meet the eligibility guidelines for LIHEAP, how many make no payment during the months of December, January and February?

For those moratorium eligible customers who qualify for but do not receive LIHEAP benefits, how many make no payment during the months of December, January and February?

How many moratorium eligible customers had a past due amount owing at the time they declared moratorium eligibility? For these customers, what is the total revenue past due and owed at the time of declaration of eligibility? List the months of December through February separately.

How many moratorium eligible customers had a past due amount owing as of March 1, 2003? For these customers, what is the total revenue past due and owed as of March 1, 2003? How many of these customers received LIHEAP benefits?

How many moratorium eligible customers are disconnected for nonpayment during the months of March through May 2003? For these customers, what is the aggregate amount owing at the time of disconnection for nonpayment? How many of these customers received LIHEAP benefits? List each month separately.

During the months of March through May 2003, how many moratorium eligible customers are disconnected for nonpayment and subsequently reconnected within 10 days of disconnection? For these customers, what is the aggregate amount paid at the time of reconnection? How many of these customers received LIHEAP benefits? List each month separately.

How many moratorium eligible customers were disconnected for nonpayment during the months of March through May 2003 and did not re-establish service and made no payment 90 days after disconnection? Of these customers, what was the total amount owing 90 days after disconnection? How many of these customers received LIHEAP benefits? What percentage of total residential write offs does this represent for the same time period?