

DECISION MEMORANDUM

**TO: COMMISSIONER ANDERSON
COMMISSIONER CHATBURN
COMMISSIONER HAMMOND
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

FROM: STEPHEN GOODSON, POLICY ADVISOR

DATE: MARCH 31, 2022

SUBJECT: IDAHO PUC RULES OF PROCEDURES – IDAPA 31.01.01

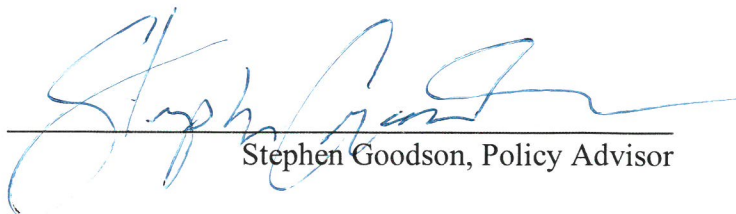
BACKGROUND:

The Commission opened a case on rulemaking RUL-U-21-01 pursuant to Governor Little Executive Order No. 2020-01. Commission Staff conducted negotiated rulemaking during the 2021 calendar year on the PUC's Rules of Procedure IDAPA 31.01.01. The Rules were presented to the House and Senate State Affairs Committee by Commission President Eric Aderson during the 2022 Legislative Session.

The legislature did not pass a concurrent resolution accepting or rejecting the rules as proposed. Since the legislature did not take action on these pending rule they go into effect upon the legislature adjournment sine die of the 2022 legislature pursuant to Idaho Code 67-5224:

“(5) (a) Except as set forth in sections [67-5226](#) and [67-5228](#), Idaho Code, a pending rule shall become final and effective upon the conclusion of the legislative session at which the rule was submitted to the legislature for review, or as provided in the rule, but no pending rule adopted by an agency shall become final and effective before the conclusion of the regular or special legislative session at which the rule was submitted for review. A rule which is final and effective may be applied retroactively, as provided in the rule.”

RUL-U-21-01 is now a closed docket.



Stephen Goodson, Policy Advisor