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2023 JUNE 28, 2023 12:16PM
IDAHO PUBLIC
UTILITIES COMMISSION

June 28, 2023

Ms. Jan Noriyuki
Commission Secretary
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074

RE: Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking
RUL-U-23-02, Customer Relations Rules
RUL-U-23-04, Gas Service Rules

Dear Ms. Noriyuki:

Enclosed for filing with this Commission are Intermountain Gas Company's ("Intermountain" or "Company") comments on the edits proposed for the zero-based regulation negotiated rulemaking for the following sections of Idaho code: 31.21.01 Customer Relations Rules For Gas, Electric, and Water Public Utilities, and 31.31.01 Gas Service Rules.

The Company appreciates the work Staff has done to update and simplify these rules. If you have any questions or require additional information regarding the attached, please contact me at (208) 377-6015.

Sincerely,

/s/ Lori A. Blattner

Lori A. Blattner
Director – Regulatory Affairs
Intermountain Gas Company

Enclosures

**INTERMOUNTAIN GAS COMPANY’S COMMENTS ON THE 2023
IDAPA 31 RULEMAKING**

Below is a discussion of each rule being reviewed in this rulemaking. Intermountain Gas Company (“Intermountain” or “Company”) provides general comments on a section of the rule or includes a cut and paste of the rule as revised by the Idaho Public Utilities Commission (“IPUC” or “Commission”) and explains its concerns with the proposed edits and/or offers alternative language in highlighted redlined text.

IDAPA 31.21.01 Customer Relations Rules

005.01 Definitions

Intermountain believes the text deletions proposed for the definitions of “Applicant,” “Customer,” and “Utility” are confusing because deleting the modifying prepositional phrases, “within a rule or group of rules to a particular class of service” makes the dependent clause, “unless restricted by definition” apply to the very definition in which the dependent clause is contained thus making it a circular definition. The Company recommends that these changes not be made.

Alternatively, if the Customer Relation Rules contain no exceptions where the defined words mean something other than the definition given in Section 005, it would make sense to remove the whole introductory dependent clause, “unless restricted by definition.”

101.01 Deposit Requirements: Residential Customers

The proposed insertion of “utilities” before property should be both the singular and possessive form of the word, “utility’s.” Also, the article ‘A’ is needed for the start of the following sentence, so the Company recommends leaving that sentence as is.

01.Residential Customers. Utilities will not demand or hold a deposit from any current residential customer or applicant for residential service without proof that the customer or applicant is likely to be a credit risk or to damage the ~~utilities~~ utility’s property ~~of the utility~~. ~~A~~ A lack of previous history with the utility does not, in itself, constitute such proof. Utilities will not demand or hold a deposit under this rule as a condition of service from a residential customer or applicant unless one or more of the following criteria applies: (3-31-22)

101.1(b)(ii) - In Section (b)(ii) of 101.1 , the word “utilities” should be the singular, possessive form, “utility’s.”

ii. Obtaining, diverting or using service without the ~~utilities~~ utility’s authorization or knowledge.

101.02(a) - In section 101.02(a), the proposed revision makes section (a) a fragment rather than a sentence. For clarity and parallel structure with (b), it should remain a sentence. With the proposed edits, the condition does not make sense. Intermountain recommends retaining the verb and the predicate of the current language.

a. Any ~~of the~~ criteria listed in Rule Subsection 101.01 ~~of this rule are present~~ ~~are present~~.

101.03 - In Section 101.03, the article “a” is needed before “deposit.”

03. Bankrupt Customers. If an applicant ~~for service~~ or a customer, ~~either residential or small commercial,~~ has sought any form of relief under the Federal Bankruptcy Laws, has been brought within the jurisdiction of the bankruptcy court for any reason in an involuntary manner, or has had a receiver appointed in a state court proceeding, then **a** deposit may be demanded as allowed by the Federal Bankruptcy Laws.

200 - In Section 200, the proposed deletions make the intent less clear. The Company recommends the current language be retained.

200.01 (h) - In Section 201.01(h), the company suggests that the article, “the,” be retained in the two instances where it is deleted for normal grammatical flow.

313.02 - In Section 313.02, the proposed revisions make the sentence grammatically incorrect, and therefore, confusing. The Company recommends revising the proposed revision as shown below.

02. Reasonableness. ~~When deciding. In deciding on the~~ **The** reasonableness of a particular agreement, the utility will take into account the customer’s ability to pay, the size of the unpaid balance, the customer’s payment history, and the amount of time and reasons why the debt is outstanding

403.01 - In Section 403.01, the Company recommends that the proposal to remove “involving the utility” not be adopted as the wording provides specificity for compliance. While utilities can infer what is reasonable or intended, clarity and specificity within a rule aid the ability to unquestionably comply.

600.03 - In Section 600.03, the proposed revisions muddle the original meaning of the sentence. As proposed a utility may mail or deliver its intent; however, intent is intangible and cannot be mailed. The Company proposes that the original language be retained.

603.02 - In Section 603.02, the proposed edits are confusing and suggest that the utility should be contacting a customer non-stop for twenty-four hours prior to a disconnection. The Company recommends retaining most of the original language as shown below.

02.Final Notice. The utility may mail a final written notice to customers at least three (3) calendar days, excluding weekends and holidays, before the proposed date of termination. ~~Regardless of whether the utility elects to mail a written notice, at least twenty-four (24) hours prior to actual termination, the~~ **At least twenty-four (24) hours prior to actual termination, t**he utility will diligently attempt to contact the customer affected ~~at least twenty four (24) hours, either in person or by telephone~~ **either in person or by telephone**, to apprise the customer of the proposed action. This final notice will contain the same information required above for written notice. Each utility will maintain clear, written records of oral notices, showing dates and the utility employee giving the notices. (3-31-22)

605 - In Section 605, the proposed deletions reduce the clarity of the section. The Company recommends retaining the original language.

IDAPA 31.31.01, Gas Service Rules:

102. Inspection of Customer's Facilities.

Intermountain recommends that this section be removed in its entirety as it was suspended by Commission Order No. 30625 on August 19, 2008.

152. Periodic Tests of Customer Meters

Intermountain recommends changing the definition of smaller capacity meters to meters with capacities of 1000 cfh to 3000 cfh. The Company also recommends retaining cfh rather than using ft³/h as cfh is the industry standard for cubic feet per hour. This revision creates a more reasonable inspection schedule, allowing the utility to test the majority of its meters through a sampling program.

01. Testing of Smaller Capacity Meters All meters with capacities up to and including four hundred (400) up to and including one thousand (1000) cubic feet per hour (cfh) (ft³/h) that have been in service ten (10) or more years as established by last set date shall be tested within a prescribed sample size as determined in accordance with ANSI/ASQ Z1.4 and Z1.9 2003 (R2018), which are incorporated by reference into these rules, which can be found at <https://webstore.ansi.org/Standards/ASQ/ANSIASQZ1SamplingProcedures>.

152.02

Consistent with the recommended revision in 152.01, Intermountain recommends that larger capacity meters be defined as 1001 cfh to 3000 cfh. Again, Intermountain recommends retaining the acronym cfh as it is the industry standard for cubic feet per hour.

02. Testing of Larger Capacity Meters. All meters from four hundred (400) one thousand one (1001) cubic feet per hour (cfh) (ft³/h) (cfh) and larger to 3000 cfh cubic feet per hours (cfh) that have been in service ten (10) years as established by last set date shall be replaced or field tested.

154. Customer Meter Accuracy Requirements

Intermountain recommends the accuracy standard be a bandwidth of 2% for all meters as this aligns better with ANSI B109 standards.

01. Accuracy of Meters. A new gas meter installed for the use of any customer shall not be more than two percent (2%) slow and not more than one percent (1%) or fast. Every meter removed from service when opened for repairs shall be adjusted within tolerance to be not more than two percent (2%) slow and not more than one percent (1%) fast before being reset; and if not opened for repairs may be reset without adjustment if found to be not more than two percent (2%) in error fast or slow, when passing as in both instances at the test rates provided for in Rule 155 (Customer Meter Test Loads).

155.01 Customer meter test loads: Testing of Meters

Intermountain recommends that the accuracy standard be revised from one-half percent to one percent. This change aligns with ANSI B109.1 and ANSI B109.2, which allow a 1% spread.

Also, Intermountain proposes the phrasing “the results of which shall agree” be retained for clarity.

01. Testing of Meters. All tests to determine the accuracy of registrations of gas service meters shall be made with a suitable meter prover or testing equipment. Unless exempted by order of the Commission, at least two (2) test runs shall be made on each bellows type displacement meter, ~~the results of which shall agree with each other within~~ the results of which shall agree with each other within one percent (1%).and shall be within one half of one percent (.5%) (3-31-22)

155.02 Customer Meter Test Loads: Gas Flows During Testing

Intermountain proposes using 80% for the Open test because that would test the meter at a volume similar to what is experienced while in service. A meter rarely, if ever, runs at 100%. The Company also proposes to allow meters to be tested at the maximum capacity of the prover, even if that is less than 80%.

02. Gas Flows During Testing. The rate of flow to be used in testing all capacity meters ~~having capacities up to and including three thousand (3,000) cubic feet per hour ft³/h~~ shall be twenty percent (20%) (Check) and eighty percent (80%) to one hundred percent (100%) (Open) of the rated capacity. ~~The one hundred percent (100%) capacity or open run test shall not be taken into consideration in arriving at the accuracy of these meters. Meters having capacities of above three thousand (3,000) cubic feet per hour ft³/h except orifice meters, shall be tested both at twenty percent (20%) and one hundred percent (100%) of their capacity. For the purpose of determining the accuracy of these meters, the average of twenty percent (20%) and one hundred percent (100%) tests shall be used. For the purpose of determining accuracy of these meters, the average of the Check and Open tests shall be used. When meter capacity is greater than the testing equipment, the maximum capacity of the testing equipment shall be used for the Open test.~~

156.01 Customer Meter Test Records: Records of Meter Tests

The edits to section (e) inadvertently muddle the clarity of this requirement and should not be adopted as proposed. Intermountain proposes retaining the words highlighted below. A limiting modifier is useful before the word “data” to clearly define the bounds of compliance and the article “the” is needed before calculations.

e. The accuracy as found and as left, ~~together with enough of the~~ with enough data taken at the time of the test to permit the convenient checking of the methods employed and the the calculations.