

# IDAHO PUBLIC UTILITIES COMMISSION

## MINUTES OF DECISION MEETING

**August 6, 2019 – 1:30 P.M.**

In attendance were Commissioners Paul Kjellander and Eric Anderson. Commissioner Raper participated by telephone. Commissioner Kjellander called the meeting to order.

The first order of business was **APPROVAL OF MINUTES FROM THE PREVIOUS MEETING** on Tuesday, July 30, 2019. The Commission voted unanimously to approve the minutes as written.

The second order of business was **CONSENT AGENDA:**

**2. Action Item: Carolee Hall's July 25, 2019, Decision Memorandum re: Cancellation of Certificate No. 519 in Case No. TAL-T-14-01 for Talk America Services, LLC.**

**3. Action Item: Carolee Hall's July 25, 2019, Decision Memorandum re: Interconnection Agreement Between TDS Metrocom, LLC ("Metrocom") and Frontier Communications Northwest Inc. ("Frontier"); Case No. TML-T-19-02.**

**4. Action Item: Chris Hecht's July 25, 2019, Decision Memorandum re: Compliance Tariff Filing in the Matter of the Application of Spirit Lake East Water Company and Lynnwood for Amendment and Transfer of CPCN; Case No. SPL-W-19-01.**

**5. Action Item: Dayn Hardie's July 25, 2019, Decision Memorandum re: Avista's Application to Implement FCA Rates for Electric Service from October 1, 2019 through September 30, 2020; Case No. AVU-E-19-07.**

**6. Action Item: Dayn Hardie's July 25, 2019, Decision Memorandum re: Avista's Application to Implement FCA Rates for Natural Gas Service from November 1, 2019 through October 31, 2020; Case No. AVU-G-19-04.**

**7. Action Item: Dayn Hardie's July 25, 2019, Decision Memorandum re: Avista's Application for the Extension of Its Electric and Natural Gas Fixed Cost Adjustment Mechanisms in the State of Idaho; Case Nos. AVU-E-19-06 and AVU-G-19-03.**

**8. Action Item: Daniel Klein's July 25, 2019, Decision Memorandum re: Extension of the Administrator's USF and ITSAP Contracts.**

**9. Action Item: Daniel Klein's July 25, 2019, Decision Memorandum re: Custer Telephone Broadband Services, LLC's 2018 Broadband Equipment Tax Credit; Case No. CTB-T-19-01.**

**10. Action Item: Daniel Klein's July 25, 2019, Decision Memorandum re: Custer Telephone Cooperative, Inc.'s 2018 Broadband Equipment Tax Credit; Case No. CUS-T-19-01.**

**11. Action Item: Daniel Klein's July 25, 2019, Decision Memorandum re: Cable One Inc.'s 2018 Broadband Equipment Tax Credit; Case No. GNR-T-19-05.**

**12. Action Item: Daniel Klein's July 25, 2019, Decision Memorandum re: Potlatch Telephone Company d/b/a TDS Telecom's 2018 Broadband Equipment Tax Credit; Case No. POT-T-19-01.**

**13. Action Item: Joseph Terry's July 26, 2019, Decision Memorandum re: Avista Corporation's Request for Authorization to Issue and Sell Securities; Case No. AVU-U-19-02.**

Commissioner Kjellander made a motion to approve Staff's recommendation for items 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 on the Consent Agenda. A vote was taken on the motion and it carried unanimously.

The next order of business was **MATTERS IN PROGRESS:**

**14. Action Item: Edward Jewell's July 26, 2019, Decision Memorandum re: In the Matter of the Application of Idaho Power for Approval of a Power Purchase Agreement with Jackpot Holdings, LLC, for the Sale and Purchase of Up to 220 Megawatts of Renewable Solar Generation; Case No. IPC-E-19-14.**

Mr. Jewell reviewed his Decision Memo and stated that the IPUC Staff recommends the Commission vacate the comment deadline in this case and set a revised comment deadline after the Company files supplemental economic modeling results.

Commissioner Kjellander made a motion to vacate the comment deadline in this case instead of revised deadline after the company files a supplemental economic modeling results. A vote was taken on the motion and it carried unanimously.

The next order of business was **FULLY SUBMITTED MATTERS:**

**15. Deliberation re: In the Matter of the Investigation of Atlanta Power Company Service and Customer Relations; Case No. ATL-E-18-01. [Edward Jewell, Attorney]**

**16. Deliberation re: In the Matter of SUEZ Water Idaho Inc.'s Petition for an Exemption from Utility Customer Relations Rules 311(4) and (5); Case No. SUZ-W-19-01. [Matt Hunter, Attorney]**

Commissioner Kjellander stated, items 15 and 16 under Fully Submitted matters would be deliberated in private.

The next order of business was **EXECUTIVE SESSION MATTERS (The Commission must move and vote to enter executive session. Each motion to enter executive session is an "action item." No action will be taken within the executive session itself.):**

**17. Pending Litigation, Under Idaho Code §74-206 (1)(f), Discussion with Counsel re: In the Matter of the Complaint of Raul Mendez Against Intermountain Gas Company; CASE NO. INT-G-19-03.**

Commissioner Kjellander made a motion to adjourn into Executive Session and cited Idaho Code §74-206(1)(f). He stated that the purpose of the Executive Session would be to communicate with the Commissioner's attorneys about pending litigation, FERC Case No. EL-18-50-000.

A role call was taken and they adjourned into Executive Session. The Executive Session began at 1:36 p.m. and ended at 1:55 p.m.

Upon returning from the Executive Session, Commissioner Kjellander made a motion to use Idaho Code § 31-3220 as the basis to determine whether Mr. Mendez is entitled to a fee waiver and directed the

Commission Secretary to issue Mr. Mendez a form adapted from the form used by the Ada County district court to determine fee waiver requests and to direct Mr. Mendez to return the form by August 5, 2019. The motion passed unanimously.

Commissioner Kjellander reconvened the regular meeting at 1:59 p.m. He stated that there was no further business before the Commission and he adjourned the meeting.

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SECRETARY

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DATE OF APPROVAL

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COMMISSION