

01306

TUFT LAW OFFICE, P.A.

1918 OVERLAND AVENUE
P. O. Box 759
BURLEY, IDAHO 83318
TELEPHONE: (208) 677-2922

RECEIVED
FILED
2003 JUL -3 AM 8:34

BOARD PUBLIC
UTILITIES COMMISSION
FACSIMILE (208) 678-1166
E-MAIL: tuftlaw@pmt.org

STEVEN A. TUFT
ATTORNEY AT LAW

July 2, 2003

Jean Jewell
Commission Secretary
Idaho Public Utilities Commission
P.O. Box 83720
Boise, Idaho 83720

GNR-E-03-11

Re: Heyburn - Riverside Electric Territory Agreement Approval

Dear Ms. Jewell:

Enclosed are the original and seven copies of the petition seeking approval of the Territory Agreement between the City of Heyburn and Riverside Electric Company.

Thank you.

Sincerely,
TUFT LAW OFFICE, P.A.


Steven A. Tuft

SAT/jn
enclosures

cc: Hon. Cleo K. Cheney w/ Enc.
Ken Stephens, Riverside Electric w/ Enc.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Steven A. Tuft
TUFT LAW OFFICE, P.A.
1918 Overland Avenue
Post Office Box 759
Burley, Idaho 83318
Telephone: (208) 677-2922
Facsimile: (208) 678-1166
Idaho State Bar No. 1785

Attorney for City of Heyburn

RECEIVED
FILED
(SPACE BELOW FOR FILING STAMP ONLY)
2003 JUL -3 AM 8:34

IDAHO PUBLIC
UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

In the Matter of the Application of) Case No. GNR-E-03-11
Riverside Electric Company and the)
City of Heyburn for an Order Approving) **APPLICATION**
a Service Territory Agreement between)
the Applicants.)

Pursuant to Rule 51 of the IPUCRP, and Idaho Code § 61-333,
Riverside Electric Company ("Riverside") and City of Heyburn ("Heyburn")
respectfully apply for Commission approval of a Service Territory Agreement
between Riverside and Heyburn on the grounds and for the following reasons:

1. On December 8, 2000, the Idaho Legislature, meeting in special session amended the Idaho Electric Supplier Stabilization Act, §§ 61-332 through 61-334B of the Idaho Code. Idaho Code § 61-333 provides that any electric supplier may contract in writing with another electric supplier for the purpose of allocating territories, consumers, and future consumers between electric suppliers and designating which territories and consumers are to be served by which contracting electric supplier. The statute further provides that the Commission shall, after notice and hearing review and approve or reject such contracts between electric suppliers.

APPLICATION - 1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

This joint Application is filed with the Commission for approval. While municipalities are not required to obtain such approval of the Commission for Service Territory Agreements, cooperatives are and the City desires to voluntarily comply with the purposes of the Electric Supplier Stabilization Act so that the below referred to Territory Agreement may receive Commission approval.

2. The Petitioners have entered into a Territory Agreement. Riverside and Heyburn seek approval of the Commission of the existing Territory Agreement. A copy of that agreement is attached as Exhibit 1.

3. The Agreement was negotiated between the parties in order to settle a service territory between the parties, provide for stability of service with consumers, to eliminate duplication of services and to provide safety in the respective territories.

4. For the foregoing reasons and to fulfill the requirements of Idaho Code § 61-333 Riverside and Heyburn request the Commission, after notice and hearing, approval of the Agreement pursuant to law.

DATED this 2nd day of July, 2003.

TUFT LAW OFFICE, P.A.

By 

Steven A. Tuft
Attorney for City of Heyburn