

## **DECISION MEMORANDUM**

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

**FROM:       SCOTT WOODBURY**

**DATE:       DECEMBER 2, 2003**

**SUBJECT:   CASE NO. PAC-E-03-3 (PacifiCorp)  
              IDAHO 2003 IRRIGATION LOAD CONTROL CREDIT RIDER PROGRAM  
              COMPLIANCE FILING – PROGRAM EVALUATION REPORT;  
              PROPOSED CHANGES TO SCHEDULE NO. 72 PROGRAM**

On November 28, 2003, PacifiCorp dba Utah Power & Light Company filed an Idaho 2003 Irrigation Load Control Credit Rider Program Impact Evaluation Report in Case No. PAC-E-03-3. The Evaluation Report filing is a compliance filing pursuant to Commission directive in Order No. 29209 wherein the Company was directed to submit a report at the end of the 2003 irrigation season summarizing the results of the Schedule No. 72 Irrigation Load Control Credit Rider Program (Program).

Also in compliance with the Commission's Order No. 29209, the Company recommends the following changes to improve the Program. The intent of the of the Company's recommendations is two fold: (1) streamline the enrollment process and (2) mitigate potential customer concerns that may have limited customer participation in the 2003 Program. The Company proposes to:

1. Provide customers with a Load Control Service Agreement by January 15th of each year together with the Load Control Service Credit notification (the credit the customer would receive should they elect to participate). The Load Control Service Agreement will include the amount of credit the customer would receive during the upcoming irrigation season if participation is elected.
2. Require that customers sign and return the Load Control Service Agreement by February 15th of each year to indicate their intention to participate in the Program.

3. Notify participating customers of the scheduled hours for load control during the irrigation season by March 15th of each calendar year.
4. Permit participating customers to notify the Company of their intent to opt out of the Program without penalty by April 15th. Under the Company proposal customers notifying the Company of their intent to opt out of the Program after April 15th shall be subject to the terms of Special Condition No. 7, Early Termination (Schedule No. 72).
5. Not enforce the ineligibility for the 2004 irrigation season for customers who submitted an Intent to Participate Notification in the 2003 Program but subsequently failed to execute a Load Control Service Agreement. This proposal is based on the Company recommendation to eliminate the Intent to Participate Notification as part of the 2004 Program.
6. To limit the potential cost for participating customers under terms of Special Condition No. 8, Cost of Load Control Devices, (Schedule No. 72) to such costs only to the extent that they exceed one thousand dollars.

The Company notes its intent to separately file tariff changes reflecting these recommendations together with the Load Control Service Credit for the 2004 irrigation season on or prior to December 5, 2003.

#### **Commission Decision**

Staff recommends that the Company's proposed Schedule No. 72 tariff changes together with proposed 2004 Load Control Service Credit be Noticed, that the matter be processed under Modified Procedure (IDAPA 31.01.01.201-204) and that a 21-day comment period be established.

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Scott Woodbury

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