

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE</b>	)	<b>CASE NOS. AVU-E-19-07</b>
<b>COMMISSION MODIFYING FILING</b>	)	<b>AVU-E-19-08</b>
<b>REQUIREMENTS UNDER</b>	)	<b>AVU-E-19-09</b>
<b>COMMISSION RULE OF PROCEDURE</b>	)	<b>AVU-G-19-05</b>
<b>14.02 FOR SPECIFIC PENDING CASES</b>	)	<b>INT-G-19-05</b>
<b>BEFORE THE COMMISSION</b>	)	<b>INT-G-19-06</b>
	)	<b>IPC-E-19-11</b>
	)	<b>PAC-E-19-10</b>
	)	
	)	<b>ORDER NO. 34434</b>
	)	
	)	

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Avista Corporation dba Avista Utilities, Intermountain Gas Company, Idaho Power Company and PacifiCorp dba Rocky Mountain Power (collectively the “Utilities”) each have written comments due in the cases listed above (the “Cases”) on September 17, 18 and 19, 2019.<sup>1</sup> These deadlines occur when the Commission is moving to its new office at 11331 W. Chinden Blvd, Building 8, Suite 201A, Boise, Idaho 83714. During this period the Commission will not be able to receive hand delivery of written comments for filing at its current or new office. This may create an obstacle for the Utilities and any other party that has intervened in the Cases, to timely file written comments with the Commission.

With this Order, the Commission aims to alleviate any filing challenges caused by our relocation. The Commission hereby modifies the time when written comments shall be considered filed. The application of this Order shall be limited to the Utilities and any other parties in the Cases and its effect shall expire on September 21, 2019.

**STAFF RECOMMENDATION**

Staff recommended that during the Commission’s move, scheduled for September 16-20, 2019, it issue an order in the Cases allowing written comments to be considered filed on the

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<sup>1</sup> In AVU-G-19-05, Avista Corporation does not have a reply comment deadline that is affected by the Commission’s move. However, there is a Commission Staff and public comment deadline on September 19, 2019, in this case.

date of the U.S. postmark of such envelope that contains the comments, rather than when received by the Commission Secretary. *See* Commission Rule of Procedure 31.01.01.14.02.

Additionally, Staff recommended that the Commission direct the Utilities and any other parties in the Cases to mail any original written comments, with the appropriate number of copies, from September 16-20, 2019, to the Commission at Idaho Public Utilities Commission, P.O. Box 83720, Boise, Idaho 83720.

### **DISCUSSION AND FINDINGS**

Pursuant to Commission Rule of Procedure 14.02, documents including written comments are considered filed when received by the Commission Secretary. *See* Commission Rule of Procedure 14.02, IDAPA 31.01.01.14.02. However, Rule 14.02 contemplates that the Commission can modify when documents are deemed to have been filed:

Unless otherwise provided by statutes, these rules, order or notice, documents are considered filed when received by the Commission Secretary, not when mailed or otherwise transmitted.

Rule 14.02, IDAPA 31.01.01.14.02 (emphasis added).

To avoid complications in filing timely comments for the Cases, the Commission finds it reasonable to temporarily modify Commission Rule of Procedure 14.02. Accordingly, written comments in the Cases shall be deemed filed with the Commission as of the date of the U.S. postmark on the envelope containing them, rather than when they are received by the Commission Secretary. *See* Rule 14.02.

We direct the Utilities, and any other parties in the Cases, to mail their original written comments and the appropriate number of copies for the Cases to Idaho Public Utilities Commission, P.O. Box 83720, Boise, Idaho 83720. This Order shall only apply to the Utilities and any other parties in the Cases and will expire on September 21, 2019.

### **ORDER**

IT IS HEREBY ORDERED that the Utilities, and any other party that has intervened in the Cases, shall mail their original written comments for filing, and the appropriate number of copies to Idaho Public Utilities Commission, P.O. Box 83720, Boise, Idaho 83720, from September 16 to 20, 2019.

IT IS FURTHER ORDERED that by the issuance of this Order, written comments for the Cases shall be deemed filed on the date of the U.S. postmark stamped on the envelope containing them, rather than when received by the Commission Secretary.

IT IS FURTHER ORDERED that this Order shall only apply to the Utilities and any other party in the Cases, and shall terminate and have no further force or effect as of September 21, 2019.


DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 12<sup>th</sup> day of September 2019.

  
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PAUL KJELLANDER, PRESIDENT

  
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KRISTINE RAPER, COMMISSIONER

  
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ERIC ANDERSON, COMMISSIONER

ATTEST:

  
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Diane M. Hanian  
Commission Secretary

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