

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE ASSESSMENT)
OF PUBLIC UTILITIES FOR THE SPECIAL) CASE NO. F-2009-1
REGULATORY FEES PAYABLE TO THE)
COMMISSION FOR FISCAL YEAR 2010.) ORDER NO. 30780
)

In the 2009 session, the Idaho Legislature passed Senate Bill 1229 appropriating a total of \$4,962,200 to the Commission for operations during fiscal year 2010 (July 1, 2009 to June 30, 2010).¹ This appropriation represents \$151,400 for railroad activities, \$4,741,600 for public utility activities, and \$69,200 for pipeline safety activities reimbursable by the federal government.

This Order assesses the utilities their share of the total appropriation: \$4,741,600. The utilities have an adjusted carry-over balance of \$290,753 from fiscal year 2008 expenditures and the difference between last year's estimated federal reimbursement and the actual dollars received results in a positive true-up adjustment of \$5,262. In addition, a one-time reduction of \$1,000,000 from the cash reserve is prudent at this time. Thus, the Commission is authorized to assess \$3,456,109 for its FY 2010 utility operations.

The reported gross intrastate revenues from Title 61 and Title 62 utility operations in Idaho totaled \$2,078,901,798 for calendar year 2008. This represents a reported revenue increase of approximately \$184,374,554 (or 9.73%) from the prior year. Accordingly, the proportionate share of each utility's fee is to be assessed at .1662 percent (.001662), a decrease from last year's assessment of .2507 percent. In no case shall the assessed regulatory fee be less than \$50. *Idaho Code* §§ 61-1004(3) and 62-611.

FINDINGS OF FACT

In accordance with *Idaho Code* §§ 61-1001 through 61-1008 and 62-611, the Commission is authorized to assess \$3,456,109 for supervising and regulating public utilities subject to our jurisdiction. Thus, the proportionate assessment to be collected from public utilities subject to the jurisdiction of this Commission is \$3,456,109 (\$4,741,600 + \$5,262 - \$290,753 - \$1,000,000).

¹ The Legislature has also passed and the Governor has signed Senate Bill 1227. Senate Bill 1227 increases the Commission's appropriation by \$71,200. SB 1227, § 17(41). The assessment calculated in this Order is based upon the appropriation amount contained in Senate Bill 1229.

The total reported Idaho gross intrastate revenues for all public utilities for the 2008 calendar year amounts to \$2,078,901,798.

The proportionate assessment for each public utility is .1662 percent (.001662) of its Idaho gross operating revenue derived from intrastate utility business for the 2008 calendar year. In no case shall the calculated regulatory fee be less than fifty dollars (\$50.00) per utility.

ORDER

IT IS THEREFORE ORDERED, except as provided in the following paragraph, that each Title 61 public utility and Title 62 telephone corporation operating within the State of Idaho and subject to the jurisdiction of this Commission shall pay to the Idaho Public Utilities Commission a special regulatory fee for the 2010 fiscal year amounting to .1662 percent (.001662) of its Idaho gross operating revenue derived from intrastate utility business for the 2008 calendar year.

IT IS FURTHER ORDERED that if the fee thus determined shall be less than fifty dollars (\$50.00), then such utility shall pay to the Commission the minimum of fifty dollars (\$50.00) as prescribed by law. *See Idaho Code* §§ 61-1004(3) and 62-611.

IT IS FURTHER ORDERED that at least one-half of such regulatory fee shall be paid to the Commission on or before May 15, 2009, and the remaining one-half shall be paid on or before November 16, 2009. Utilities may pay their entire 2010 regulatory fee no later than May 15, 2009.

IT IS FURTHER ORDERED that if the payment shall not be made on or before the due dates, the installment or portion thereof so due shall bear interest at the rate of six percent (6%) per annum until such time as the full amount of the installment shall have been paid and such delinquent payment shall be subject to an action in the name of the State for collection.

THIS IS A FINAL ORDER. Any utility objecting to the assessment prescribed in this Order may file an objection with the Commission pursuant to *Idaho Code* § 61-1007 no later than May 15, 2009.

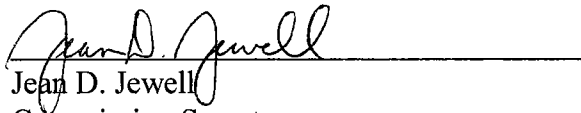
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 7th
day of May 2009.


JIM D. KEMPTON, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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