

IDAHO PUBLIC UTILITIES COMMISSION

MINUTES OF DECISION MEETING

MARCH 31, 2014 – 1:30 P.M.

In attendance were Commissioners Paul Kjellander, Mack Redford and Marsha Smith. Commissioner Kjellander called the meeting to order.

The first order of business was **APPROVAL OF MINUTES FROM PREVIOUS MEETING** on Monday, March 17, 2014. The Commission voted unanimously to approve the minutes as written.

The next order of business was approval of the **CONSENT AGENDA:**

2. Carolee Hall's March 21, 2014 Decision Memorandum re: Joint Application Between Qwest Corporation dba CenturyLink QC ("CenturyLink") and BCN Telecom, Inc. ("BCN") for Approval of an Interconnection Agreement Between the Companies, Case No. QWE-T-14-01.

3. Grace Seaman's March 26, 2014 Decision Memorandum re: Albion Telephone Company's 2013 Broadband Equipment Tax Credit Application, Case No. ALB-T-14-01.

4. Grace Seaman's March 21, 2014 Decision Memorandum re: Certificate No. 440 Name Change from Dieca Communications, Inc. dba Covad Communications Company to MegaPath Corporation, Case No. CVD-T-04-01.

5. Grace Seaman's March 26, 2014 Decision Memorandum re: Certificate No. 507 Name Change from New Edge Network, Inc. dba Earthlink Business to Earthlink Business, LLC, Case No. NEN-T-11-01.

6. Grace Seaman's March 18, 2014 Decision Memorandum re: Custer Telephone Cooperative, Inc.'s Application for Approval of Amendment to Negotiated Agreement with AT&T Mobility, Case No. CUS-T-09-02.

7. Karl Klein's March 25, 2014 Decision Memorandum re: Avista's Application to Update Schedule 54, Case No. AVU-E-14-02.

8. Karl Klein's March 24, 2014 Decision Memorandum re: Idaho Power's Application to Implement Fixed Cost Adjustment Rates Effective June 1, 2014 through May 31, 2015, Case No. IPC-E-14-03.

9. Maria Barratt-Riley's March 24, 2014 Decision Memorandum re: Updating the List of Regulated Utilities.

10. Neil Price's March 28, 2014 Decision Memorandum re: Application of Acme Water Works, Inc. for a Certificate of Public Convenience and Necessity, Case No. AWW-W-13-01.

11. Weldon Stutzman's March 28, 2014 Decision Memorandum re: Idaho Power Company's Petition for Approval of Third Amendment to Agreement with EnerNOC, Case No. IPC-E-14-02.

Regarding item 9, Commissioner Smith asked about the status of Worldxchange Corp and the notation “3 possible filings.” Ms. Barratt-Riley replied that the status column contains information from the Secretary of State’s web page so the filings are possible license requests to do business with the Secretary of State, not the PUC. Commissioner Smith confirmed that as far as the PUC is concerned, they are not a utility and we shouldn’t be charging them. Ms. Barratt-Riley replied that was correct. There was no further discussion and Commissioner Kjellander made a motion to approve Staff’s recommendations for items 2 through 11 on the Consent Agenda. A vote was taken on the motion and it carried unanimously.

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

12. Deliberation re: Avista's Application for a Prudency Determination for 2010-2012 Electric and Gas Energy Efficiency Expenditures, Case Nos. AVU-E-13-09 and AVU-G-13-02. [Karl Klein, Attorney]

13. Deliberation re: Custer Telephone's ETC Application, Case No. CTB-T-14-01. [Karl Klein, Attorney]

14. Deliberation re: Avista's Application for Approval of Capacity Deficiency, Case No. AVU-E-13-10. [Kristine Sasser, Attorney]

15. Deliberation re: Idaho Power's Application for Approval of Capacity Deficiency, Case No. IPC-E-13-21. [Kristine Sasser, Attorney]

16. Deliberation re: Rocky Mountain Power's Application for Approval of Capacity Deficiency, Case No. PAC-E-13-12. [Kristine Sasser, Attorney]

17. Deliberation re: Rocky Mountain Power's Application for a Net Decrease in Rates Through Its Energy Cost Adjustment Mechanism (ECAM), Case No. PAC-E-14-01. [Neil Price, Attorney]

Commissioner Kjellander stated that items 12 through 17 would be deliberated privately.

The final order of business was **EXECUTIVE SESSION MATTERS:**

18. Discussion of Class Action Lawsuit, CDA Dairy Queen v. Idaho State Insurance Fund, Docket No. CV09-13607, pursuant to Idaho Code 67-2345(1)(f). [Don Howell, Attorney]

19. Discussion of Motions in Various BPA Ninth Circuit Appeals Following the Issuance of APAC v. BPA, 733 F.3d 939(2013), pursuant to Idaho Code 67-2345(1)(f). [Don Howell, Attorney].

Commissioner Kjellander made a motion to go into Executive Session to discuss items 18 and 19 pursuant to *Idaho Code* § 67-2345(1)(f). A vote was taken on the motion and it carried unanimously.

There was no further business before the Commission and Commissioner Kjellander adjourned the meeting.

COMMISSION SECRETARY

DATE OF APPROVAL