

# IDAHO PUBLIC UTILITIES COMMISSION

## MINUTES OF DECISION MEETING

**March 16, 2015 – 1:30 P.M.**

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

The first order of business was **APPROVAL OF MINUTES FROM PREVIOUS MEETING** on Monday, March 9, 2015. The Commission voted unanimously to approve the minutes as written.

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

**2. Grace Seaman's March 10, 2015 Decision Memorandum re: Filer Mutual Telephone Company's 2014 Broadband Equipment Tax Credit Application, Case No. FIL-T-15-01.**

**3. Grace Seaman's March 11, 2015 Decision Memorandum re: tw telecom of Idaho llc's 2012 Broadband Equipment Tax Credit Application, Case No. TWT-T-14-01.**

**4. Karl Klein's March 13, 2015 Decision Memorandum re: Idaho County Light & Power's Application for Approval of a Territory Allocation Agreement with Avista, Case No. AVU-E-15-02.**

There was no discussion and Commissioner Kjellander made a motion to approve Staff's recommendations for items 2 through 4 on the Consent Agenda. A vote was taken on the motion and it carried unanimously.

The next order of business was **MATTERS IN PROGRESS**:

**5. Daphne Huang's March 13, 2015 Decision Memorandum re: Agreed Hearing Schedule from Prehearing Conference for Consolidated PURPA Cases; Petition and Cross-Petitions to Clarify Order No. 33222 by Intermountain Energy Partners, Renewable Energy Coalition, and Clearwater Paper and Simplot; Case Nos. IPC-E-15-01, AVU-E-15-01, PAC-E-15-03.**

Ms. Huang stated that with respect to the Petition to Clarify, the parties had agreed that it was the parties understanding of Order No. 33222 that the interim relief applies to all those PURPA contracts that exceed the published rate eligibility cap.

Commissioner Redford asked about what Staff envisions for a public hearing. Ms. Huang stated that Staff and parties had agreed upon holding a technical hearing, setting aside three dates that were available to most every party beginning June 29<sup>th</sup>, 30<sup>th</sup> and July 1<sup>st</sup>, and then perhaps a public hearing on an evening or perhaps two evenings of that week in Boise and then whatever additional public hearings the Commission thinks should be conducted.

Commissioner Kjellander stated that with regard to public hearings, because there are three utilities located in three distinct geographic locations, it has historically been the tradition that if the Commission has a public hearing in one of the service territories then it will hold a hearing in all the service areas.

Commissioner Raper asked the counsel for Clearwater and Simplot, Peter Richardson, if they had agreed to some interim measure until the filing of the additional answers to the Petition, given that they clearly want something more than what the proposal is. Mr. Richardson replied that was correct and confirmed they didn't object to the proposal. There were no additional questions.

Commissioner Kjellander made a motion to grant the Petition for Clarification with regards to the Commission's initial order, clarifying that the five-year interim relief is limited to IRP-based contracts and does not apply to QF contracts that are eligible for published avoided cost; hold public hearings and attempt to have one public hearing in each of the utilities' service territories; and adopt the response and reply schedule agreed to by the parties regarding Clearwater and Simplot's Cross-Petition for Clarification, but consider the Cross-Petitions at another time.

Ms. Huang asked if the Commission wished to adopt the schedule agreed to by the parties for prefiling testimony, and Commissioner Kjellander confirmed that adopting the schedule should also be included in the motion. A vote was taken on the motion and it carried unanimously.

#### **6. Grace Seaman's March 13, 2015 Decision Memorandum re: 2014 Idaho Telecommunications Relay Service Annual Report, Case No. GNR-T-15-02.**

Ms. Seaman reviewed her Decision Memo and commended Mr. Dunbar for his work as the TRS administrator. Commissioner Kjellander asked Mr. Dunbar to share his thoughts on the trends he has been seeing. Mr. Dunbar stated that as traditional relay service continues to decline, captioned telephone service is increasing. He said it is difficult to project exactly how much the decline will be or how great the increase will be on captioned phone service. He said captioned phone is primarily for the elderly who have trouble hearing and if that service was provided to everyone who needs it in Idaho it would be a huge number, but a lot of people resist it.

Commissioner Kjellander asked to what extent texting and the use of IP technology play a disruptive role. Mr. Dunbar replied that IP is where it all is happening, including with the caption phones, where there is IP application usage. He noted that the portion the FCC is paying is about seven or eight times what we are paying right now for traditional relay service. He said there are products out there that have not been offered to the public yet that could change the landscape significantly, but he couldn't tell when or exactly which product it will be.

There was no further discussion and Commissioner Kjellander moved to accept the Administrator's recommendation to maintain the current TRS assessment rates, accept the annual report and to adopt the Administrator's budget for 2015. 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.

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COMMISSION SECRETARY

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DATE OF APPROVAL