

# IDAHO PUBLIC UTILITIES COMMISSION

## MINUTES OF DECISION MEETING

October 19, 2015 – 1:30 P.M.

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

The first item on the agenda was **PROPOSED ITEM FOR ADDITION TO THE AGENDA:**

**Avista and Staff's Motion for Approval of Stipulation and Settlement, Case Nos. AVU-E-15-05 and AVU-G-15-01. [No memo. Karl Klein, Attorney]**

Commissioner Raper made a motion to amend the agenda pursuant to Idaho Code 74-205(4)(b) by adding to Matters in Progress Avista and Staff's Motion for Approval of Stipulation, Case Nos. AVU-E-15-05 and AVU-G-15-01. She stated that the parties had just filed the motion that morning and it was important that the item be considered in order to amend upcoming filing dates. A vote was taken on the motion and it carried unanimously.

Commissioner Kjellander then asked for unanimous consent to move item 12 from the Consent Agenda to Matters in Progress: **12. Neil Price's October 16, 2015 Decision Memorandum re: Rocky Mountain Power's Application to Modify the Energy Cost Adjustment Mechanism and Increase Rates, Case No. PAC-E-15-09.** There were no objections and item 12 was moved to Matters in Progress, changing it to item 14 in the numbering sequence.

The next order of business was **APPROVAL OF MINUTES FROM PREVIOUS MEETING** on Monday, October 5, 2015. The Commission voted unanimously to approve the minutes as written.

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

**2. Daphne Huang's October 15, 2015 Decision Memorandum re: Agreed Settlement in United Water's Application to Increase Rates and Charges, Case No. UWI-W-15-01.**

**3. Daphne Huang's October 15, 2015 Decision Memorandum re: Rocky Mountain Power's Application to Approve Capacity Deficiency for Avoided Cost Calculations, Case No. PAC-E-15-12.**

**4. Grace Seaman's October 16, 2015 Decision Memorandum re: Application for Approval of a Traffic Exchange Agreement by CenturyTel of Idaho, dba CenturyLink and CenturyTel of the Gem State, Inc. dba CenturyLink with Bandwith.com CLEC, LLC, Case Nos. CEN-T-15-06 and CGS-T-15-06.**

**5. Grace Seaman's October 16, 2015 Decision Memorandum re: Application for Approval to Amend an Interconnection Agreement Between Quest Corporation dba CenturyLink QC and CenturyLink Communications, LLC, Case No. QWE-T-04-23.**

**6. Grace Seaman's October 16, 2015 Decision Memorandum re: The 2014 Broadband Equipment Tax Credit Application For Idaho 6-Clark RSA Limited Partnership, an Operating Entity of the Verizon Wireless Business Division, Case No. GNR-T-15-10.**

**7. Grace Seaman's October 16, 2015 Decision Memorandum re: The 2014 Broadband Equipment Tax Credit Application for Cellco Partnership and Verizon Wireless LLC, Operating Entities of the Verizon Wireless Business Division, Case No. GNR-T-15-08.**

**8. Grace Seaman's October 16, 2015 Decision Memorandum re: The 2014 Broadband Equipment Tax Credit Application for Cellular Inc. Network Corporation, an Operating Entity of the Verizon Wireless Business Division, Case No. GNR-T-15-09.**

**9. Grace Seaman's October 16, 2015 Decision Memorandum re: The 2014 Broadband Equipment Tax Credit Application for Idaho RSA 2 Limited Partnership, an Operating Entity of the Verizon Wireless Business Division, Case No. GNR-T-15-11.**

**10. Grace Seaman's October 16, 2015 Decision Memorandum re: The 2014 Broadband Equipment Tax Credit Application for Idaho RSA 3 Limited Partnership, an Operating Entity of the Verizon Wireless Business Division, Case No. GNR-T-15-12.**

**11. Grace Seaman's October 16, 2015 Decision Memorandum re: The 2014 Broadband Equipment Tax Credit Application for Verizon Business aka Verizon Enterprise Solutions, Case No. NYN-T-15-01.**

**12. Terri Carlock's October 16, 2015 Decision Memorandum re: Avista Corporation's Application for Authority to Offer, Issue and Sell Debt up to \$300,000,000 and Issue up to 1,635,000 Shares of Authorized but Unissued Common Stock, Case No. AVU-U-15-01.**

There was no discussion and Commissioner Kjellander made a motion to approve Staff's recommendations for items 2 through 12 on the Consent Agenda. A vote was taken on the motion and it carried unanimously.

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

**13. Avista and Staff's Motion for Approval of Stipulation and Settlement, Case Nos. AVU-E-15-05 and AVU-G-15-01. [No memo. Karl Klein, Attorney]**

Mr. Klein reviewed the Motion asking the Commission to vacate the current schedule, issue a Notice of Proposed Settlement, set a November 13<sup>th</sup> deadline for submitting testimony by all parties, retain the November 23<sup>rd</sup> technical hearing date and set a telephonic public hearing on November 23<sup>rd</sup>. Commissioner Raper made a motion to accept the changes to the procedural schedule as outlined by Mr. Klein, vacate the filing deadline that was established previously, reschedule the filing deadline for testimony and set the hearing dates as outlined by Mr. Klein. Commissioner Kjellander asked about having a telephonic hearing only and Mr. Klein replied

that the notice will state that if customers request a live hearing the Commission will accommodate their requests. A vote was taken on the motion and it carried unanimously.

**14. Neil Price's October 16, 2015 Decision Memorandum re: Rocky Mountain Power's Application to Modify the Energy Cost Adjustment Mechanism and Increase Rates, Case No. PAC-E-15-09.**

Commissioner Kjellander stated that the reason this item was moved to Matters in Progress from the Consent Agenda was because Consent Agenda items are required to pose yes/no questions and the questions being asked of the Commission were not spelled out in the Decision Memo. He added that the memo asks the Commission to issue a Notice of Scheduling and Notice of Hearings yet there are no dates referenced in the memo. He said he would like to know what it is the Commission will actually be approving regarding this matter.

Mr. Karpen, who was filling in for Mr. Price, replied that the memo asks that a notice be issued to let people know that a stipulation has been filed. Mr. Lobb added that the motion to approve the stipulation proposed a November 6<sup>th</sup> all-party comment deadline, to which the parties have agreed. Commissioner Smith asked if he thought a hearing would be needed, and Mr. Lobb replied that no testimony has been filed and he thought it could be handled appropriately by modified procedure. Commissioner Smith asked if a public hearing was needed and Mr. Lobb stated that was something the Commission could consider after looking at the proposed settlement. Commissioner Smith stated that the Commission tries to get away from piecemealing out its notices, and the Commission should issue a Notice of Stipulation but it should be accompanied by whatever procedure the Commission determines is needed. With the understanding that the agreed-upon dates will be part of any notice, she made a motion to issue a Notice of Stipulation and a Notice of Scheduling, with a Notice of Public Hearing if the Commission decides to hold one. A vote was taken on the motion and it carried unanimously.

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

**15. Deliberation re: Avista's Annual PGA Filing, Case No. AVU-G-15-02. [No Memo.Karl Klein, Attorney]**

Commissioner Kjellander stated that item 15 would be deliberated privately.

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