

IDAHO PUBLIC UTILITIES COMMISSION

MINUTES OF DECISION MEETING

January 12, 2016 – 1:30 P.M.

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

The first order of business was **APPROVAL OF MINUTES FROM PREVIOUS MEETING** on Monday, January 4, 2016. The Commission voted unanimously to approve the minutes as written.

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

2. Daphne Huang's January 7, 2016 Decision Memorandum re: Diamond Bar Estates Water Company's Application to Increase Rates and Charges, Case No. DIA-W-15-01.

3. Daphne Huang's January 8, 2016 Decision Memorandum re: Idaho Power's Application for Approval or Rejection of a Replacement Energy Sales Agreement with J.R. Simplot Company, Case No. IPC-E-16-01.

4. Grace Seaman's January 8, 2016 Decision Memorandum re: Potlatch Telephone Company dba TDS Telecom's Filings to Replace the Access Service Offerings from the Idaho Rural Exchange Carriers (IREC) Tariff No. 3 with Its Own Access Service Tariff P.U.C. ID No. 2, Advice Letters 15-06 and 15-07.

5. Neil Price's January 8, 2016 Decision Memorandum re: Cancellation of Fox Creek Water & Sewer LLC's Application for a Certificate of Public Convenience and Necessity, Case No. FCW-W-13-01.

Regarding item 5, Commissioner Raper asked Mr. Price about the record for this case and what had been added to the record in order to substantiate Staff's recommendations. Mr. Price replied that there is a bill of sale, or transfer agreement, from the prior owners transferring the company to the homeowners' association. Mr. Price stated that he would file the document with the Commission secretary so it will be included in the record. There was no further discussion and Commissioner Kjellander made a motion to approve Staff's recommendations regarding items 2 through 5 on the Consent Agenda. A vote was taken on the motion and it carried unanimously.

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

6. Don Howell's January 7, 2016 Decision Memorandum re: Idaho Power's Notice of Selling a Dragline Coal Shovel.

Mr. Howell reviewed his Decision Memo. Commissioner Raper asked whether or not a case number is needed in this matter. Mr. Howell responded that a case number is not needed

because the sale of the property is not occurring within Idaho so *Idaho Code* § 61-328 does not apply; however, out of an abundance of caution, the sale does affect rates because the proceeds will be allocated between multiple jurisdictions and there will be a revenue impact caused by the sale. He said that Staff does not contemplate needing an order but will respond by letter to the company. Commissioner Kjellander stated that because there won't be a case number or an order number, he thought it was odd that the matter was before the Commission. Mr. Howell replied that the matter is not unlike other cases that have come before the Commission, such as when Idaho Power sells real estate to let the Commission know it will receive a gain on the sale of the property. Commissioner Kjellander confirmed that the letter the Commission issues will be a marker to the company that the Commission recognizes the sale has occurred. Mr. Howell replied that it will be a revenue marker. There was no further discussion. Commissioner Raper made a motion to agree that the sale of the dragline is reasonable, to instruct Staff Counsel to send a letter to the Company advising that the Commission does not object to the sale and to include in the letter a requirement that the Company must file a statement of proceeds and final accounting. 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