

IDAHO PUBLIC UTILITIES COMMISSION

MINUTES OF DECISION MEETING

October 3, 2016 – 1:30 P.M.

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

The first order of business was **APPROVAL OF MINUTES FROM PREVIOUS MEETING** on Monday, September 26, 2016. The Commission voted unanimously to approve the minutes as written.

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

2. Camille Christen's September 30, 2016 Decision Memorandum re: Application of Rocky Mountain Power to Update Base Net Power Costs and Implement a Rate Stability Plan, Case No. PAC-E-16-12.

3. Camille Christen's September 30, 2016 Decision Memorandum re: The Application of Avista Corporation for a Finding of Prudence for 2014-2015 Expenditures Associated with Providing Electric Energy Efficiency Service in the State of Idaho, Case No. AVU-E-16-06.

Commissioner Kjellander made a motion to move item 4 to Matters in Progress. There were no objections and item 4 was moved to Matters in Progress.

Regarding items 2 and 3, there was no discussion and Commissioner Kjellander made a motion to approve Staff's recommendations for items 2 and 3 on the Consent Agenda. A vote was taken on the motion and it carried unanimously.

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

4. Camille Christen's September 30, 2016 Decision Memorandum re: The Petition of Idaho Power Company for a Declaratory Order Regarding Proper Avoided Cost Pricing for Jackpot Solar, Case No. IPC-E-16-21.

Ms. Huang reviewed the Decision Memo. She noted that there have been similar cases before the Commission but there isn't an explicit procedure for handling them. Commissioner Raper stated that she was concerned that if the Commission issues a Notice of Petition with a Notice of Modified Procedure and only gives 21 days for a comment period, then it might not be possible for the public and QFs to view the various positions because everyone will be commenting simultaneously. She asked if it would be agreeable to the parties if the Commission were to issue the notices together but allow an opportunity for the utilities to respond to the substance of the petition first and then establish a public comment deadline followed by an Idaho Power reply comment deadline. Ms. Huang replied that counsel and staff supported the proposed procedure outlined by Commissioner Raper to first set a 14-day comment deadline for the affected utilities

under Rule 102 and follow that with a 21-day comment period for the public and respondent and 14 days from that deadline set the deadline for the company's reply, after which the matter would be fully submitted.

Commissioner Raper made a motion to issue a Notice of Petition and Notice of Modified Procedure jointly but delineate that the Commission is giving the utilities 14 days to respond to the substance of the motion made by Idaho Power; to set a comment deadline for the public 21 days from the date of the utilities' deadline; and then give Idaho Power an additional 14 days to reply. There was no further discussion. A vote was taken on the motion and it carried unanimously.

5. Daphne Huang's September 29, 2016 Decision Memorandum re: Agreed Motion to Set Comment Period for Settlement Stipulation in Idaho Power's Proposed Community Solar, Case No. IPC-E-16-14.

Ms. Huang reviewed her Decision Memo. Commissioner Kjellander asked if the Commission is in jeopardy of missing a construction window if the comment period is either 14 or 21 days. Ms. Huang replied that there is a proposed commercial operation date set for next June or July of 2017 so the company is not really in jeopardy of missing it. She noted that the company has requested that the matter be resolved as soon as possible but things got pushed back because of settlement negotiations.

Commissioner Raper noted that there is already a Notice of Modified Procedure in this case, Order No. 33569, but Staff's recommendation is to issue a Notice of Settlement and Notice of Modified Procedure and it anticipates a settlement time frame already, so she felt it was redundant to issue a new Notice of Modified Procedure. She said that in the past the Commission has issued a Notice of Settlement Stipulation providing an opportunity for comment with the 14-day time frame, but because that is technically not what the parties agreed to in the Settlement Stipulation, she wondered if that might cause any problems with the parties.

Ms. Huang stated that in order it was an agreed motion for modified procedure, which is how Idaho Power had drafted it and the parties had agreed, but whatever the Commission wanted the end result will be the same.

Commissioner Raper then made a motion to issue a Notice of Settlement Stipulation and opportunity for 14-day comment period at which point after that time expires the record will close and everything will be in front of the Commission for decision. A vote was taken on the motion and it carried unanimously.

6. Sean Costello's September 30, 2016 Decision Memorandum re: The TRS Administrator's Contract.

Mr. Costello reviewed his Decision Memo. Commissioner Kjellander stated that as a point of reference, the Commission is statutorily required to put the TRS administrator's contract out for bid. He said Mr. Dunbar has had the contract for quite a few years, and having been around since 1999 himself, he can say with a great deal of confidence that Mr. Dunbar has done an excellent job in his capacity executing the contract as it relates to state statutory requirements. Commissioner Kjellander then made a motion to move forward with the contract as recommended by Staff for Mr. Dunbar to continue as TRS administrator for a three-year period starting October 17, 2016. A vote was taken on the motion and it carried unanimously.

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

7. Deliberation re: Idaho Power's Fully Submitted Application to Approve Its 2016 Service Agreement with DOE, Case No. IPC-E-16-18. [Daphne Huang, Attorney]

Commissioner Kjellander announced that item 7 would be deliberated privately.

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

ASSISTANT COMMISSION SECRETARY

DATE OF APPROVAL