

IDAHO PUBLIC UTILITIES COMMISSION

MINUTES OF DECISION MEETING

June 19, 2018 – 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, May 29, 2018. The Commission voted unanimously to approve the minutes as written.

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

- 2. Daniel Klein's June 1, 2018, Decision Memorandum re: Frontier Communications Northwest Inc.'s Application for Approval of an Interconnection Agreement with Onvoy, LLC; Case No. VZN-T-18-02.**
- 3. Daniel Klein's June 5, 2018, Decision Memorandum re: Application for Approval of an Amendment to an Interconnection Agreement Between Frontier Communications Northwest Inc. and Electric Lightwave, LLC; Case No. VZN-T-10-04.**
- 4. Brandon Karpen's June 7, 2018, Decision Memorandum re: Capitol Water Corporations' Application to Increase its Schedule No. 3 Purchased Power Adjustment Rate; Case No. CAP-W-18-01.**
- 5. Brandon Karpen's June 7, 2018, Decision Memorandum re: Proposed Abandonment of a Five-Mile Section of Eastern Idaho Railroad's Rail Line; Case No. EIR-R-18-01.**
- 6. Daniel Klein's June 12, 2018, Decision Memorandum re: Filer Mutual Telephone Company's 2017 Broadband Equipment Tax Credit; Case No. FIL-T-18-01.**
- 7. Daniel Klein's June 13, 2018, Decision Memorandum re: Fremont Communication's 2017 Broadband Equipment Tax Credit; Case No. FRC-T-18-01.**
- 8. Daniel Klein's June 13, 2018, Decision Memorandum re: Fremont Telecom's 2017 Broadband Equipment Tax Credit; Case No. FRE-T-18-01.**
- 9. Sean Costello's June 14, 2018, Decision Memorandum re: Annual Revision and Updated Calculation of the Adjustable Portion of the Avoided Cost Rate for Existing PURPA Contracts for Avista Corporation dba Avista Utilities, for Idaho Power Company, and for Pacificorp dba Rocky Mountain Power; Case No. GNR-E-18-02 and Annual Revision of QF Variable Energy Prices Pursuant to Terms of the 1992 Amendments to Power Purchase Agreements Between Idaho QFs and Pacificorp; Case No. PAC-E-1805.**

Commissioner Kjellander made a motion to move item 4 on the Consent Agenda to Matters in Progress. A vote was taken on the motion and it carried unanimously.

Commissioner Kjellander made a motion to approve Staff's recommendation for items 2, 3, 5, 6, 7, 8 and 9 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. Brandon Karpen's June 7, 2018, Decision Memorandum re: Capitol Water Corporations' Application to Increase its Schedule No. 3 Purchased Power Adjustment Rate; Case No. CAP-W-18-01.

Mr. Karpen reviewed his Decision Memo and stated; the application has two different effective dates; July 15 and August 1. He suggested that the Commission go ahead with using the July 15 effective date and issue a suspension of that effective date for thirty days.

Commission Raper moved that the Commission issue an order regarding the application of Capital Water for processing by modified procedure with a July 12, 2018 comment deadline and a July 19, 2018 reply deadline that also includes suspension of the companies proposed July 15 effective dates.

10. Brandon Karpen's June 14, 2018, Decision Memorandum re: Renewing Contract with John Coyle to Assist in Litigation.

Mr. Karpen reviewed his Decision Memo he stated; there is pending litigation related to Franklin Energy Storage; the proposal in front of the Commission is for execution for the contract with Mr. Coyle out PURPA expert in Washington, D.C.

Commissioner Kjellander made a motion to move to renew the contract with John Coyle to assist litigation. A vote was taken on the motion and it carried unanimously.

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

11. Deliberation re: In the Matter of the Joint Motion to Extend Avista FCA; Case Nos. AVU-E-15-05 and AVU-G-15-01. [Brandon Karpen, Attorney]

12. Deliberation re: In the Matter of the Application of Intermountain Gas Company for an Accounting Order Regarding the Treatment of Cost Associated with Customer Payment Transactions Handled by Western Union; Case No. INT-G-18-01. [Sean Costello, Attorney]

13. Deliberation re: Vote Solar's Petition for Reconsideration In the Matter of the Application of Idaho Power Company for Authority to Establish New Schedules for Residential and Small General Service Customers with On-Site Generation; Case No. IPC-E-17-13. [Sean Costello, Attorney]

Commissioner Kjellander stated items 11, 12 and 13 under Fully Submitted Matters would be deliberated privately.

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

14. Pending Litigation Re: FRANKLIN ENERGY STORAGE ONE, ET AL. v. KJELLANDER, ET AL.; CASE NO. 1:18-CV-00236-REB

Commissioner Kjellander made a motion to adjourn into Executive Session and cited Idaho Code § 74-206(1)(f). He stated that the purpose of the Executive Session would be to communicate with the Commissioner's attorneys about pending litigation.

A role call was taken and they adjourned into Executive Session. The Executive Session began at 1:36 p.m. and ended at 1:45 p.m.

Commissioner Kjellander reconvened the regular meeting at 1:46 p.m. He stated that there was no further business before the Commission and he adjourned the meeting.

COMMISSION SECRETARY

DATE OF APPROVAL