

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
COMMISSIONER REDFORD
COMMISSIONER RAPER
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

**FROM: KARL KLEIN
DEPUTY ATTORNEY GENERAL**

DATE: MARCH 13, 2015

**SUBJECT: IDAHO COUNTY LIGHT & POWER'S APPLICATION FOR APPROVAL
OF A TERRITORY ALLOCATION AGREEMENT WITH AVISTA, CASE
NO. AVU-E-15-02**

On March 9, 2015, Idaho County Light & Power Cooperative Association, Inc. (ICLP) applied to the Commission for an Order, issued under the Electric Supplier Stabilization Act (ESSA), *Idaho Code* §§ 61-332 *et seq.*, that would approve Avista Corporation dba Avista Utilities' Agreement to Assign Electric Customers to ICLP. ICLP asks the Commission to process the Application by Modified Procedure.

THE APPLICATION

In the Application, ICLP explains that Elbert and Janet Hendren are developing residential building sites in the River View Estates Subdivision in Idaho County, Idaho. The Subdivision contains 23 lots. Two lots have been developed and are being served by Avista. The developers have asked ICLP to serve the remaining 21 undeveloped lots. ICLP and Avista have entered the Agreement to facilitate this arrangement.

Under the Agreement, Avista releases its rights to serve the development to ICLP, with the exception of the two already developed lots. ICLP is to install facilities and serve the 21 undeveloped lots. Avista is to continue serving the two developed lots. ICLP says the Agreement, if approved, will allow the parties to avoid territorial disputes and the needless duplication of facilities, and enable them to provide customers with the best possible service.

STAFF RECOMMENDATION

Staff recommends that the Application be processed by Modified Procedure with an April 13, 2015 comment deadline and an April 20, 2015 reply deadline.

COMMISSION DECISION

Does the Commission preliminarily find that the public interest may not require a hearing to consider the issues, and that this case should be processed by Modified Procedure with comment and reply periods as specified above?

Karl Klein

Karl T. Klein
Deputy Attorney General

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