

**DECISION MEMORANDUM**

**TO: COMMISSIONER KJELLANDER  
COMMISSIONER SMITH  
COMMISSIONER REDFORD  
COMMISSION SECRETARY  
LEGAL  
WORKING FILE**

**FROM: MARILYN PARKER AND BEVERLY BARKER**

**DATE: SEPTEMBER 14, 2007**

**RE: FORMAL COMPLAINT FILED BY SOUTH ELMORE  
IRRIGATION DISTRICT**

On August 21, 2007, the Commission received a "formal" complaint (attached) from Peter Richardson, attorney for South Elmore Irrigation Company, against Idaho Power Company. South Elmore Irrigation Company ("South Elmore" or "customer") disputes a rebilling in the amount of \$916,702.24 for energy usage. Due to an Idaho Power employee's error, the customer was billed for one-half of the energy consumed from November 18, 2002 to April 26, 2007 (53 months). Idaho Power rebilled for usage only during the most recent 36 months.

**BACKGROUND**

The South Elmore Irrigation Company did not file an informal complaint with the Commission prior to filing its "formal" complaint. Consistent with the Commission's standard procedure, the Consumer Assistance Staff contacted Idaho Power to informally investigate the rebilling of this customer. Idaho Power acknowledged that there had been a billing error with regard to usage at South Elmore's Flying H pump station. That pump station is 1 of 18 service points included on a summary bill.<sup>1</sup> According to Idaho Power, a load profile meter was

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<sup>1</sup>Summary billing allows customers who have multiple meters and/or service locations to consolidate charges onto one billing statement each month. Billing detail is provided for each service point and a total amount owing identified.

replaced with a regular meter at the conclusion of a load profile study. Shortly after the meter change, a meter technician changed the billing constant from 12,000 to 6,000 in error. The error was discovered during an Idaho Power meter inspection in May 2007. The customer was correctly billed for usage prior to December 2002. Following identification of the error, the customer was correctly billed starting in May 2007.

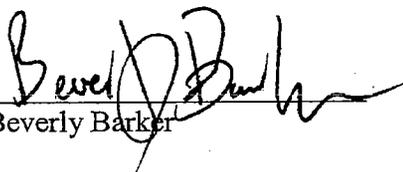
In response to Staff's investigation, Idaho Power offered to allow the customer a longer period of time in which to repay the rebilled amount. Idaho Power rebilled for usage over a 36-month period, which means the customer can take 36 months to pay the rebilled amount pursuant to UCRR 204.01. Given the substantial rebilling amount and the possibility that payment might cause a financial hardship for the customer, Idaho Power offered to allow South Elmore the opportunity to pay over a period of at least 4 years. The Company was unwilling to reduce or forgive the rebilled amount.

#### **STAFF RECOMMENDATION**

Staff was unable to resolve this complaint informally and South Elmore wishes to pursue its formal complaint. See Rules 23, 25 and 54, IDAPA 31.01.01.023, .024 and .054. Staff recommends that the Commission issue a summons to Idaho Power and direct the Company to file a response to the complaint.

#### **COMMISSION DECISION**

Does the Commission wish to issue a Summons to Idaho Power, directing an Answer be filed?

  
Beverly Barker

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