

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: WELDON STUTZMAN
DEPUTY ATTORNEY GENERAL

DATE: AUGUST 17, 2012

SUBJECT: IDAHO POWER COMPANY'S APPLICATION FOR AUTHORITY TO
TRANSFER TITLE TO MOBILE HOME PARK METER PEDESTALS,
CASE NO. IPC-E-12-19

On July 23, 2012, Idaho Power Company filed an Application requesting approval of the transfer of 18 meter pedestals located in the R&V Mobile Home Park in Emmett, Idaho, to the park owner. Prior to March 1981, the Company provided mobile home meter pedestals as part of the facilities for electric service to most mobile homes. Since that date, mobile homes have been served by pedestals owned and maintained by customers, which is reflected in the Company's current Rule H(2)(g). The Application states that these Company-owned pedestals pre-date 1981, which makes repairs problematic because replacement parts are no longer manufactured for these pedestals. R&V Mobile Home Park has agreed to take title to the meter pedestals, after Idaho Power ensures all have been upgraded to 200 amps, and the agreement to transfer title is reflected in a written agreement attached to the Application.

Idaho Code § 61-328 requires an electric utility company to obtain approval from the Commission before it transfers ownership of any property used in the distribution or supply of electric power. The statute requires that the Commission find, when authorizing the transaction, that (a) the transaction is consistent with the public interest, (b) the cost of and rates for supplying service will not be increased by reason of the transaction, and (c) the applicant acquiring the property has the bona fide intent and financial ability to own and maintain the property in the public service. Idaho Power's Application states that the transaction is consistent

with the public interest because it allows the Company to treat similarly situated customers in a like manner, inasmuch as mobile homes since 1981 have customer-owned meter pedestals. The transaction will not increase the Company's costs, in fact, it will ultimately reduce Idaho Power's costs to maintain the pedestals. No money will be exchanged in the transaction and the Company asserts the upfront costs of updating the pedestals will be more than offset by the elimination of long-term maintenance costs. Finally, the mobile home park has significant financial interest in maintaining and operating the property in a manner consistent with other customer-owned pedestals and meter bases.

The record demonstrates that the transfer of these meter pedestals satisfies the requirements of *Idaho Code* § 61-328. In addition, the written agreement between Idaho Power and R&V Mobile Home Park is settlement of essentially a private matter. Pursuant to Commission Rule of Procedure 274, the Commission may summarily accept settlement of an essentially private matter that has no significant implications for regulatory law or policy or for other utilities or customers. Staff believes this agreement between Idaho Power and R&V Mobile Home Park meets the requirements of *Idaho Code* § 61-328 and recommends it be summarily approved by the Commission.

COMMISSION DECISION

Should the Commission issue an Order approving the transfer of title to 18 meter pedestals to R&V Mobile Home Park in Emmett, Idaho?



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Deputy Attorney General

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