

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF IDAHO POWER )**  
**COMPANY'S APPLICATION FOR ) CASE NO. IPC-E-12-27**  
**AUTHORITY TO MODIFY ITS NET )**  
**METERING SERVICE AND TO INCREASE )**  
**THE GENERATION CAPACITY LIMIT ) ORDER NO. 32872**  
\_\_\_\_\_ )

On July 3, 2013, the Commission issued final Order No. 32846 (the "Order"). The Commission has now received Petitions for Clarification and/or Reconsideration from Gary Iverson, Sr.; Everett and Eileen Vanderpool; Stan Standal; Keith Woodworth; Scott Moore; the Idaho Conservation League; and Idaho Power Company. These Petitions raise a variety of issues, some intertwined, some duplicative and some separate.

In this Order, the Commission: (1) preliminarily grants reconsideration to Mr. Iverson and notes that it will issue a final Order on the merits of his Petition and the other Petitions no later than August 14, 2013; and (2) grants Idaho Power the relief requested in its Petition by adjusting the effective date of the Excess Net Energy billing changes from October 2013 to January 2014, as described below.

**STANDARD OF REVIEW**

A person may petition the Commission to clarify any order, and may combine the petition with a petition for reconsideration. Rule 325. Reconsideration allows a party to bring to the Commission's attention any question previously determined and thereby affords the Commission an opportunity to rectify any mistake or omission. *Washington Water Power Co. v. Kootenai Environmental Alliance*, 99 Idaho 875, 879, 591 P.2d 122, 126 (1979); IDAPA 31.01.01.325. The party seeking reconsideration has 21 days from the date of the final Order in which to ask for reconsideration. The party's petition must specify why it "contends that the order or any issue decided in the Order is unreasonable, unlawful, erroneous or not in conformity with the law." Rule 331.01. Further, the petition "must state whether the petitioner . . . requests reconsideration by evidentiary hearing, written briefs, comments, or interrogatories." Rule 331.03.

Once a petition is filed, the Commission has 28 days to issue an Order saying whether or not it will reconsider the parts of the Order at issue. If reconsideration is granted, the Order

must specify how the matter will be reconsidered. *Idaho Code* § 61-626(2). The Commission may grant reconsideration by reviewing the existing record, by written briefs, or by evidentiary hearing. *Id.*, Rule 332. If reconsideration is granted, the Commission must complete its reconsideration within 13 weeks after the deadline for filing petitions for reconsideration. *Idaho Code* § 61-626(2). Finally, the Commission must issue its final Order on reconsideration within 28 days after the matter is finally submitted for reconsideration. *Id.*

## **THE IVERSON AND IDAHO POWER PETITIONS**

### ***Iverson Petition***

Mr. Iverson filed his Petition on July 11, 2013. His Petition asks the Commission to reconsider the Excess Net Energy decision at page 15 of the Order. Under *Idaho Code* § 61-626(2), we have until August 8, 2013, to decide whether we will or will not reconsider the parts of the Order at issue and, if so, how the matter will be reconsidered. Without addressing the merits of Mr. Iverson's Petition, we grant his Petition so we may reconsider the Excess Net Energy issue.<sup>1</sup> His Petition does not request additional briefing or hearings, and we find that the net energy issue can be reconsidered based on the existing record. It is our intent to issue a final Order on Mr. Iverson's reconsideration petition and the other petitions no later than August 14, 2013.

### ***Idaho Power Petition***

Idaho Power's timely Petition asks the Commission to clarify or reconsider the effective date of the Excess Net Energy billing changes for net metering service under Schedule 84. Idaho Power Petition at 1. The Company notes that its Application asked that Excess Net Energy billing changes take effect at the beginning of each customer's January 2014 billing period. *See* Application at 2, 8, and 11. The Commission's Order, on the other hand, specifies that the Excess Net Energy billing changes would "apply to customers *effective October 1, 2013.*" Order No. 32846 at 19 (emphasis added). The Company's Petition asks the Commission to reconsider the October 2013 date because the Company is transitioning to a new customer relations and billing system in September 2013, and the October 2013 date "would put at risk the

---

<sup>1</sup> Mr. Iverson also takes issue with "several other areas I did not cover" and "words [the Commission] used that I did not even include in this" petition. Iverson Petition, p. 6. We decline to reconsider these unspecified areas of apparent contention. *See* Rule 332 ("Grounds for reconsideration or issues on reconsideration that are not supported by specific explanation may be dismissed").

Company's ability to successfully transition to the new billing system." Idaho Power Petition at 3-4.

We grant Idaho Power's requested relief. No one opposed the requested change to the effective date, and at least one petitioner (Scott Moore) supported it. We find that leaving the date at October 1, 2013, could potentially jeopardize the Company's successful transition to the new billing system, and that it is fair, just, and reasonable to change the effective date and allow the Excess Net Energy billing changes to take effect at the beginning of each customer's January 2014 billing period. *Idaho Code* § 61-624.

### **ORDER**

IT IS HEREBY ORDERED that Mr. Iverson's Petition for Reconsideration is granted in part and denied in part. Reconsideration is granted for the Excess Net Energy decision and denied for the other unspecified areas of contention.

IT IS FURTHER ORDERED that Idaho Power's Petition for Clarification and/or Reconsideration is granted. The effective date concerning when Excess Net Energy is billed, as referenced on page 19 of Order No. 32846, is amended to take effect at the beginning of each customer's January 2014 billing period. *Idaho Code* § 61-624.

THIS IS AN INTERLOCUTORY ORDER granting reconsideration and a FINAL ORDER ON RECONSIDERATION/CLARIFICATION amending the effective date for Excess Net Energy billing until January 2014.

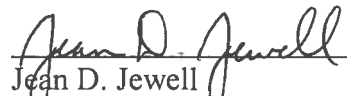
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 8<sup>th</sup>  
day of August 2013.

  
\_\_\_\_\_  
PAUL KJELLANDER, PRESIDENT

  
\_\_\_\_\_  
MACK A. REDFORD, COMMISSIONER

  
\_\_\_\_\_  
MARSHA H. SMITH, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Jean D. Jewell  
Commission Secretary

O:IPC-E-12-27\_kk6