

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE JOINT)	CASE NO. IPC-E-16-29
APPLICATION OF IDAHO POWER)	
COMPANY AND UNITED ELECTRIC CO-)	NOTICE OF APPLICATION
OP FOR APPROVAL OF A CUSTOMER)	
ALLOCATION AGREEMENT)	NOTICE OF
)	INTERVENTION DEADLINE
)	
)	ORDER NO. 33680

On November 22, 2016, Idaho Power Company and United Electric Co-op, Inc. filed a joint Application requesting that the Commission approve a Customer Allocation Agreement between the two companies. Application at 1-2. The agreement concerns a property in Idaho Power's service territory that borders the United Electric service territory and has not previously been provided with electric service. By way of summary, the Applicants request that the Commission approve an agreement granting United Electric the right to establish a new service entrance and provide electric service at that location. The Application falls under the Electric Supplier Stabilization Act (ESSA), *Idaho Code* §§ 61-332 *et seq.* The Applicants ask the Commission to process the Application by Modified Procedure.

BACKGROUND

The ESSA prohibits an electric supplier (e.g., a utility, municipality, or co-op) from serving another electric supplier's existing or former customers. *Idaho Code* § 61-332B. As an exception to this general rule, the ESSA allows electric suppliers to contract for the purpose of "allocating territories, consumers, and future consumers . . . and designating which territories and consumers are to be served by which contracting electric supplier." *Idaho Code* § 61-333(1). Such contracts must be submitted to the Commission for approval. *Id.* In sum, contracts reviewed under the ESSA will be approved if, after notice and opportunity for hearing, the Commission finds that the agreement conforms with the purposes of the ESSA. *See Idaho Code* §§ 61-333(1) and 61-334B(1). Section 61-332(2) states the purposes of the ESSA are to: (1) promote harmony between electric suppliers; (2) prohibit the "pirating" of consumers; (3) discourage duplication of electric facilities; (4) actively supervise the conduct of electric suppliers; and (5) stabilize service territories and consumers.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that Idaho Power and United Electric Co-op have agreed to the transfer of the service area of the property of one customer. Previously irrigated through the use of flood irrigation, the owner of the property would now like to install a three-phase 480 volt service in order to use a pump. For Idaho Power to provide that service, however, it would have to rebuild approximately three quarters of a mile of transmission lines at the customer's expense.

YOU ARE FURTHER NOTIFIED that the subject property is adjacent to United Electric's service area, which has three-phase power approximately 300 feet from the desired pump location. Accordingly, in order to avoid duplication of facilities and avoid the imposition of unnecessarily high line extension charges, the utilities have agreed that United Electric will service the property going forward.

YOU ARE FURTHER NOTIFIED that the Application and attachments have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. These documents are also available on the Commission's website at www.puc.idaho.gov. Click on the "File Room" tab at the top of the page, scroll down to "Open Electric Cases," then click on either case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 3 1.01.01.000 et seq.

NOTICE OF INTERVENTION DEADLINE

YOU ARE FURTHER NOTIFIED that persons desiring to intervene in this matter must file a Petition to Intervene with the Commission pursuant to this Commission's Rules of Procedure 72 and 73, IDAPA 31.01.01.072 and -.073. Persons intending to participate in this matter must file a Petition to Intervene no later than twenty-one (21) days from the service date of this Order. Persons desiring to present their views without parties' rights of participation and cross-examination are not required to intervene and may present their comments without prior notification to the Commission or the parties.

YOU ARE FURTHER NOTIFIED that the Commission Secretary shall issue a Notice of Parties after the deadline for intervention has passed. The Notice of Parties shall assign exhibit numbers to each party in this proceeding.

YOU ARE FURTHER NOTIFIED that once the Notice of Parties is issued, the Commission Staff will convene an informal prehearing conference for the parties to discuss a schedule to process this case and other issues as may be raised by the parties.

YOU ARE FURTHER NOTIFIED that the following persons are designated as representatives in this matter:

Lisa Nordstrom
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Lance A. Loveland
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ORDER

IT IS HEREBY ORDERED that persons desiring to intervene in this matter shall file a Petition to Intervene with the Commission no later than twenty-one (21) days from the service date of this Order.

IT IS FURTHER ORDERED that once a Notice of Parties is issued, Staff shall convene an informal prehearing conference to discuss a schedule to process this case and other issues as may be raised by the parties.

IT IS FURTHER ORDERED that discovery is available pursuant to the Commission's Rules of Procedure 221-234.

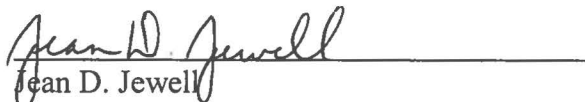
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 21st
day of December 2016.


RAUL KJELLANDER, PRESIDENT


KRISTINE RAPER, COMMISSIONER


ERIC ANDERSON, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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