(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| AMERICAN HERITAGE, INC.,  Complainant,  vs.   IDAHO POWER COMPANY,  Respondent. | )  )  )  )  )  )  )  )  )  ) | CASE NO. IPC-E-95-13  ORDER NO.  26374 |

On August 23, 1995, American Heritage filed a “formal” complaint against Idaho Power Company alleging that the utility failed to inform it of extraordinary line extension costs before the Company began development of its subdivision.  American Heritage is a developer of a 20-lot subdivision located in Chubbuck, Idaho.  In its complaint American Heritage alleged that Idaho Power was first informed of its intent to develop the subdivision in June 1994 and again in February 1995 when the final plat of the subdivision was approved by the city council.  American Heritage claims that Idaho Power failed to advise it in June 1994 or in February 1995 that the existing distribution line could not accommodate the new electrical load attributable to the subdivision.  The Company insisted that if it had been advised that the cost of upgrading this electrical distribution line was approximately $60,000, then it would not have undertaken the subdivision project.  On August 24, 1995, the Commission issued a summons to Idaho Power.

Idaho Power stated in its timely answer that it was not asked to provide a cost estimate for the subdivision project until July 1995.  Although the utility was notified of the proposed subdivision as part of the Chubbuck planning and platting procedures, Idaho Power stated that project costs are not determined until the developer subsequently applies for service—in this case July 1995.  The utility insisted that project costs are not calculated for every “proposed” subdivision because not all “planned” subdivisions are developed.

The Company also stated that its existing distribution line to serve the proposed subdivision needed to be converted from single-phase to three-phase power at an estimated cost of approximately $54,000.  After Idaho Power filed its answer, American Heritage, the utility and the Commission Staff entered informal negotiations in an attempt to resolve the complaint.

On March 21, 1996, American Heritage filed a Motion to Dismiss its complaint.  American Heritage stated that the subsequent negotiations with Idaho Power and the Staff have resulted in a settlement thereby resolving the underlying complaint.  Consequently, American Heritage requested that the Commission dismiss the complaint.

Based on the representations of American Heritage, the Commission shall dismiss the complaint.  Given the settlement entered into among the parties, we find: it is reasonable to dismiss the complaint.  Accordingly, this complaint shall be dismissed.

O R D E R

IT IS HEREBY ORDERED That American Heritage’s Motion to Dismiss its Complaint is granted.  The Commission dismisses this complaint without prejudice.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of March 1996.

                                                                                                                                      RALPH NELSON, PRESIDENT

                                                                                           MARSHA H. SMITH, COMMISSIONER

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

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**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

March 29, 1996