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

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| IN THE MATTER OF THE REQUEST OF CROSSINGS CORPORATION FOR AN EXEMPTION FROM RULE 102 OF THE COMMISSION’S MASTER-METERING RULES FOR ELECTRIC UTILITIES. | ))))))) | CASE NO. IPC-E-96-7ORDER NO.  26451 |

On April 17, 1996, Mr. Dennis L.  Rattie, Director of Development for Crossings Corporation (Crossings; Company), directed a letter to the Idaho Public Utilities Commission (Commission) requesting an exemption from Rule 102 of this Commission’s Master-Metering Rules for Electric Utilities.  Reference IDAPA 31.26.01.102.  Rule 102 provides:

102.  MASTER-METERING AND INDIVIDUAL METERING IN MULTI-OCCUPANT RESIDENTIAL BUILDINGS(Rule 102).

No multi-occupant residential buildings shall be master-metered after July 1, 1990, if the dwelling units for non-transient tenants contain an electric space heating, water heating, or air conditioning (space cooling) unit that is not centrally controlled and for which the dwelling unit’s tenants individually control electric usage.

Crossings has plans to initiate a second phase in its senior resident retirement center (River Place Senior Living Community) along Park Center Boulevard in Boise.  It will feature a 58-unit congregate living building as well as 20 cottage units along Logger’s Creek.  Crossings requests an exemption from the individual metering standards which would otherwise be applied to the congregate living building.  A similar exemption was granted in 1991 for the first phase of the project.  Reference Commission Order No. 23936, Case No.  IPC-E-91-21.  Crossings agrees that the proposed cottages maintain the relevant residential characteristics that would require independent metering.

Crossings maintains that the congregate structure should not be viewed as a residential project, only an institutional structure that presents residential characteristics.  The congregate structure will be a two-story facility featuring extensive life safety measures to allow its residents  to live an independent lifestyle in a controlled environment.  The general operating philosophy of Crossings is to provide as many amenities and services that will allow its residents to live in a more simple, worry-free environment.  Included in the standard rental package are meals, housekeeper, maintenance and all utilities (except telephone).  Crossings contends that master metering should not be required in a project of this nature, where utility costs will be covered in the fees paid by residents, and where the facility is designed to be energy efficient.

As reflected in Order No. 23936 “the primary reason that master-metering was prohibited was to encourage conservation by providing direct signals (through individual metering and billing) to consumers regarding their use.”  Crossings contends that because of facility design and operation, no economic or energy advantages would be realized through individual metering.

Crossings reports that the following energy conservation measures will be provided in construction:

•2" x 6"  exterior walls with R-19 batt insulation.

•Roof structures comprised of wood trusses with R-38 insulation.

•High efficiency vinyl framed windows with 1" insulated glass units.

•High efficiency composite doors with insulated cores.

•General use of florescent rather than incandescent bulbs.

Also, described by Crossings is the facility layout and energy using equipment.  Full architectural renderings accompany the filing.

On May 2, 1996, Idaho Power filed a letter with the Commission indicating its recommendation that the request  of Crossings for exemption be granted consistent and on the same terms as those established in Order No. 23936.  In its Order, the Commission granted an exemption subject to the following three conditions:

a.  The exemption from the prohibition of master-metering applies only so long as the facility initially known as the RiverPlace Senior Living Community is used for assisted living or similar institutional type care-giving;

b.  The facility is constructed to meet the energy efficient design specifications of Idaho Power Company’s Design Excellence Award Program (DEAP); and

c.  The terms of this exemption are recorded at the Ada County Recorder’s office in a manner that would put any prospective purchaser of the facility on notice of the terms of the exemption.

COMMISSION FINDINGS

The Commission has reviewed the filings of record in Case No. IPC-E-96-7 and its prior Order No. 23936 in Case No. IPC-E-91-21.  We find that Crossings proposes to incorporate significant energy conservation measures in its Phase II construction plans.  We find that the nature of the proposed congregate living structure described above in both design and operation does not lend itself well to providing the conservation signals that would otherwise be provided through individual metering and billing.  We therefore find it reasonable to authorize the requested exemption from Rule 102 of the Commission’s Master-Metering Rules for Electric Utilities, subject to the same three conditions approved in prior Order No. 23936 and set forth above.

CONCLUSIONS OF LAW

The Commission has jurisdiction in Case No. IPC-E-96-7 and the issues presented pursuant to the authority and power granted it under Title 61 of the Idaho Code; the Commission’s Rules of Procedure, IDAPA 31.01.01.000 et seq., and the Commission’s Master Metering Rules for Electric Utilities, IDAPA 31.26.01.000 et. seq.

O R D E R

In consideration of the foregoing and as more particularly described above, IT IS HEREBY ORDERED that Crossings Corporation’s request for an exemption from Rule 102 of the Commission’s Master-Metering Rules for Electric Utilities (Reference IDAPA 31.26.01.102) is granted for the congregate living structure portion of its second phase River Place Senior Living Community development project along Park Center Boulevard in Boise, subject to the three conditions set forth above.

THIS IS A FINAL ORDER.  Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order.  Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration.  See Idaho Code § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of May 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

May 17, 1996