

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
 COMMISSIONER SMITH
 COMMISSIONER HANSEN
 COMMISSION SECRETARY
 COMMISSION STAFF
 LEGAL**

FROM: SCOTT WOODBURY

DATE: JULY 22, 2004

**RE: CASE NO. PAC-E-04-4
 REVISIONS TO REGULATION 12 – LINE EXTENSION
 APPLICANT BUILT LINE EXTENSIONS**

On July 16, 2004, PacifiCorp submitted for approval proposed tariff pages associated with its Regulation 12, which pertains to line extensions. The purpose of the filing is to add clarifying language to Regulation 12. The proposed revisions to Section 5(a), Applicant Built Line Extensions, and Section 1(d), Extension, explicitly state that the Applicant Built option only applies to new construction, which has been the Company's long-standing practice. The proposed clarifications eliminate any question with regard to the availability of the Applicant Built Line option. The proposed change to Section 1(c) clarifies that large, complex or speculative extensions are defined from the perspective of the Company.

Staff believes that the Company's proposal to add clarifying language to the tariff was primarily triggered as a result of the pending complaint of Del Ray Holm in Case No. PAC-E-03-7. Staff acknowledges that the tariff language in place at the time Mr. Holm filed his complaint will continue to apply in the resolution of his complaint. Mr. Holm has discussed the need for clarification of customer options related to electrical installation and equipment vis-à-vis original line extensions and subsequent conversions/relocations. The clarifying language proposed by PacifiCorp in this case, if approved, would apply only on a going-forward basis and would hopefully avoid customer confusion and further complaints. Normally, clarifying tariff language such as that proposed in this case would be processed as a tariff advice. In this instance, however, Staff recommends that the case be processed under Modified Procedure, i.e.,

by written submission rather than by hearing. Reference Commission Rules of Procedure, IDAPA 31.01.01.201-204. Processing this case under Modified Procedure will establish a comment period that will permit Mr. Holm and any other interested party to submit comments on tariff changes that could potentially affect them in the future.

COMMISSION DECISION

Staff recommends that the Company's proposed tariff changes in Case No. PAC-E-04-4 be processed pursuant to Modified Procedure, i.e., by written submission rather than by hearing. Reference Commission Rules of Procedure, IDAPA 31.01.01.201-204. Does the Commission agree with Staff's recommended procedure?

Scott Woodbury

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