

DECISION MEMORANDUM

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

FROM: KIRA DALE PFISTERER

DATE: SEPTEMBER 9, 2005

**RE: JOINT APPLICATION OF IDAHO FALLS POWER AND PACIFICORP
TO APPROVE AN ELECTRIC CONSUMER ALLOCATION
AGREEMENT, CASE NO. PAC-E-05-7.**

On September 6, 2005, Idaho Falls Power and PacifiCorp dba Utah Power & Light Company (PacifiCorp) filed a Joint Application seeking the Commission's approval of a revised electric consumer allocation agreement between the parties ("Revised Allocation Agreement"). This Application incorporates all of the representations and assertions made in the original application filed on June 20, 2005. The Revised Allocation Agreement is submitted for the Commission's review pursuant to the provisions of the Electric Suppliers Stabilization Act (ESSA). *Idaho Code* § 61-332 *et seq.*

PROCEDURAL HISTORY

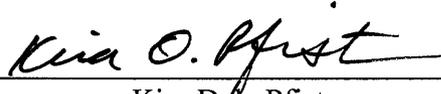
On June 20, 2005, Idaho Falls Power and PacifiCorp filed their initial Joint Application seeking the Commission's approval of an electric consumer allocation agreement between the parties ("Initial Allocation Agreement"). On July 15, 2005, the Commission decided to process the Application under Modified Procedure with a 21-day comment period ending August 5, 2005. Order No. 29822. The Commission later decided, upon Staff's Motion, to extend the comment period for two weeks ending on August 19, 2005. No comments were received other than those submitted by the Commission Staff. In the comments, Commission Staff indicated that it could not recommend approval of the Initial Allocation Agreement as filed, because it raised the possibility of redundant facilities. The Commission Staff also noted that Idaho Falls Power and PacifiCorp were in the process of revising the Agreement to meet Staff's concerns and reserved the right to review the revised agreement when filed.

STAFF RECOMMENDATION

Staff has performed an initial review of the Application and the Revised Allocation Agreement and recommends that the Commission process this Application via Modified Procedure, i.e., upon written comments rather than a hearing. Staff further recommends that the Commission issue an Amended Notice of Application with an additional 21-day comment period. This will allow Staff and the public sufficient time to review the Revised Allocation Agreement and file comments if desired.

COMMISSION DECISION

Does the Commission wish to process the Joint Application via Modified Procedure with an Amended Notice of Application and additional 21-day comment period?



Kira Dale Pfisterer