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Attorney for the Commission Staff

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>MARIAN MATHEWSON,</b>	)	
<b>Complainant,</b>	)	<b>CASE NO. PAC-E-08-9</b>
	)	
vs.	)	
	)	
<b>ROCKY MOUNTAIN POWER,</b>	)	<b>COMMENTS OF THE</b>
<b>Respondent.</b>	)	<b>COMMISSION STAFF</b>
	)	
	)	

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**COMES NOW** the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Kristine A. Sasser, Deputy Attorney General, and in response to the Summons issued on November 13, 2008 in Case No. PAC-E-08-9, submits the following comments.

**BACKGROUND**

On November 13, 2008, the Idaho Public Utilities Commission issued a summons to Rocky Mountain Power (Company; Respondent) in response to a Formal Complaint filed by Marian Mathewson (Complainant). The Complainant objects to the Company's policy of charging a monthly facilities charge in situations where distribution facilities are constructed to serve a customer located more than ½ mile from the nearest existing distribution facility. The Complainant does not object to the cost of constructing facilities to serve her house or paying for energy used after service is provided.

On December 3, 2008, the Company filed its Answer and Motion to Dismiss with the Commission. In its Answer, the Company asserts that it has followed its tariff as filed with the Commission. The Company's tariff includes the policy to which the Complainant objects.

## STAFF ANALYSIS

Although not mentioned by the Company, Staff notes that the Company's estimated line extension cost provided to the Complainant in November 2007 has expired. The cost of construction and any customer credits (allowances) towards that cost would need to be updated in order to determine the current facilities charge that would be assessed if service was in fact provided to the customer. Staff believes it is unnecessary, however, to update the costs in order to resolve this Formal Complaint.

Staff agrees that the Company appropriately applied the provisions of its tariff and correctly calculated the monthly facilities charge in this instance. In Staff's opinion, the question is whether the Company's policy of collecting monthly facilities charges and the formula used to determine those charges is still fair and reasonable. In fact, Staff asked and the Company responded to several formal production requests concerning facilities charges in Rocky Mountain Power's pending rate case (Case No. PAC-E-08-07).

## RECOMMENDATION

Based on the foregoing, Staff believes it would be appropriate for the Commission to dismiss Ms. Mathewson's Formal Complaint. Staff intends to further evaluate the details of the Company's facilities charge tariff. If changes to or elimination of the tariff language is deemed necessary, Staff will work with the Company to affect such changes and present them to the Commission for approval. Staff will continue to keep Ms. Mathewson advised of progress on the issue and of any proposed modification to the existing tariff.

Respectfully submitted this 23<sup>RD</sup> day of January 2009.

  
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Kristine A. Sasser  
Deputy Attorney General

Technical Staff: Beverly Barker

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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 23RD DAY OF JANUARY 2009, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. PAC-E-08-09, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

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SECRETARY

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