

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE JOINT)	CASE NO. PAC-E-17-12
APPLICATION OF THE CITY OF IDAHO)	
FALLS AND ROCKY MOUNTAIN POWER)	NOTICE OF APPLICATION
FOR APPROVAL OF A SERVICE)	
ALLOCATION AGREEMENT)	NOTICE OF
)	MODIFIED PROCEDURE
)	
)	ORDER NO. 33921
)	

On October 12, 2017, the City of Idaho Falls and Rocky Mountain Power jointly applied to the Commission for approval of their Service Allocation Agreement pursuant to the Idaho Electric Supplier Stabilization Act (ESSA), *Idaho Code* §§ 61-332 through 61-334C. The parties request that the Application be processed by Modified Procedure. The Commission now issues this Notice of Application and Notice of Modified Procedure setting comment and reply deadlines.

THE ESSA

Idaho Code § 61-333(1) provides that electric suppliers may contract for the purpose of “allocating territories, consumers, and future consumers ... and designating which territories and consumers are to be served by which contracting electric supplier.” Both Rocky Mountain and the City of Idaho Falls are electric suppliers as defined in the ESSA. *Idaho Code* § 61-332A(4). After notice and opportunity for hearing, the Commission may approve agreements allocating service territories and customers between electric suppliers only upon finding that the allocation is in conformance with the purposes of the ESSA. *Idaho Code* § 61-333A(1). As set out in *Idaho Code* § 61-332(2), the purpose of the ESSA is to discourage duplication of facilities; prohibit “pirating” of consumers; stabilize service territories and consumers; and promote harmony between electric suppliers.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that Rocky Mountain Power and the City of Idaho Falls state they requested approval of a previous electric consumer exchange agreement in 2005.

Application at 3 (referring to Case No. PAC-E-15-07). That agreement was in place for ten years. *Id.*

YOU ARE FURTHER NOTIFIED that, after the initial ten-year term, the City of Idaho Falls chose not to renew the agreement and instead told Rocky Mountain that it wanted to negotiate a new service territory agreement. *Id.* The parties thus negotiated the Agreement that is the subject of this Application. *Id.*

YOU ARE FURTHER NOTIFIED that the parties assert that the Agreement conforms to all the provisions and purposes of the ESSA and recommend that the Commission approve the Agreement. *Id.* at 3-4. The Agreement will become effective upon such approval, with five-year terms and a clause allowing automatic extensions for consecutive five-year periods unless one party notifies the other of its intent not to renew. *Id.* at 4.

YOU ARE FURTHER NOTIFIED that the Application and Agreement have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. These documents are also available on the Commission's web site at www.puc.idaho.gov. Click on the "File Room" tab at the top of the page, then select "Electric Cases" and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code and specifically *Idaho Code* §§ 61-502 and 61-503. The Commission may enter any final Order consistent with its authority under Title 61.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter, and that it will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or opposition with the Commission **by no**

later than 21 days from the service date of this Order. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission, the City, and the Company at the addresses reflected below:

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

Street Address for Express Mail:

472 W. Washington Street
Boise, ID 83702-5918

Ted Weston
Daniel E. Solander
Rocky Mountain Power
1407 West North Temple, Suite 330
Salt Lake City, UT 84116
Email: ted.weston@pacificorp.com
daniel.solander@pacificorp.com
idahodockets@pacificorp.com

Jackie Flowers
City of Idaho Falls
140 S. Capitol Ave.
Idaho Falls, ID 83402
Email: JFlowers@ifpower.org

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at www.puc.idaho.gov. Click the "Case Comment or Question Form" under the "Consumers" tab, and complete the comment form using the case number as it appears on the front of this document.

YOU ARE FURTHER NOTIFIED that the City of Idaho Falls and Rocky Mountain Power shall file reply comments, if necessary, **by no later than 28 days from the service date of this Order.**


YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

ORDER

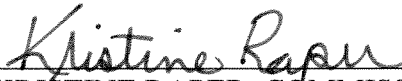
IT IS HEREBY ORDERED that the Application of the City of Idaho Falls and Rocky Mountain Power be processed by Modified Procedure, Rule 201-204 (IDAPA

31.01.01.201-.204). Persons interested in submitting written comments must do so within 21 days from the service date of this Order. The City of Idaho Falls and Rocky Mountain Power shall have until 28 days from the service date of this Order to file a reply, if any.

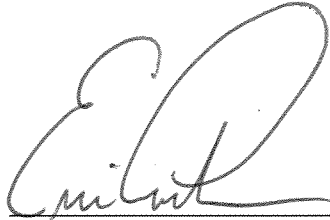
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 24th day of October 2017.



PAUL KJELLANDER, PRESIDENT



KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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