

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	CASE NO. PAC-E-19-06
FOR APPROVAL OF THE PROFESSIONAL)	
WAY-BROADWAY ASSET PURCHASE)	NOTICE OF APPLICATION
AGREEMENT AND TRANSFER OF)	
SERVICE BETWEEN ROCKY MOUNTAIN)	NOTICE OF
POWER AND THE CITY OF IDAHO FALLS)	MODIFIED PROCEDURE
)	
)	NOTICE OF TELEPHONIC
)	HEARING
)	
)	ORDER NO. 34337

On May 10, 2019, Rocky Mountain Power (“Company”) filed an Application requesting approval of the Asset Purchase Agreement entered into by the Company and the City of Idaho Falls (“City”). With this Order, the Commission issues notice of the Application, establishes a public comment period, and sets a date for a telephonic public hearing.

BACKGROUND

The Company submits its Application for approval under the Idaho Electric Supplier Stabilization Act, *Idaho Code* §§ 61-332 through 61-334C, and the electric utility asset transfer statute, *Idaho Code* § 61-328. The Company requested that its Application be processed under Modified Procedure, Rule 201 *et seq.* See IDAPA 31.01.01.201 through .204. Typically, the use of Modified Procedure contemplates written submissions without a live hearing. However, *Idaho Code* § 61-328 states the Commission “shall issue a public notice and *shall conduct a public hearing* upon the application (emphasis added).”

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that with this Application, the Company asks the Commission to approve the Company’s Asset Purchase Agreement with the City (“Agreement”). A copy of the Agreement is attached to the Application.

YOU ARE FURTHER NOTIFIED that the Company filed its Application pursuant to the Service Allocation Agreement authorized by the Commission in Order No. 33943.

YOU ARE FURTHER NOTIFIED that the Company and the City have agreed to transfer future electric service of six (6) customers from the Company to the City.

NOTICE OF APPLICATION
NOTICE OF MODIFIED PROCEDURE
NOTICE OF TELEPHONIC HEARING
ORDER NO. 34337

YOU ARE FURTHER NOTIFIED that the City has agreed to pay the Company 167% of the six (6) transferred customers' previous twelve (12) months electric bills, plus the value of the transferred assets, tax gross-up, separation costs, and legal and transactional costs. The total sale price in the contemplated transaction is \$31,751.00.

YOU ARE FURTHER NOTIFIED that the Application and supporting documentation have been filed with the Commission and are available for public inspection during regular business hours at the Commission's offices. These documents are also available on the Commission's web site at www.puc.idaho.gov. Click on the "Open Cases" link under the heading "Electric" and click on the case number as shown on the front of this document.

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.*

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, including *Idaho Code* §§ 61-501-61-503, 61-328, and 61-332 – 61-334C. The Commission may enter any final Order consistent with its authority under Title 61.

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Commission's Rules of Procedure. *See* 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 June 18, 2019**. The comment must contain a statement of reasons supporting the comment. Written comments concerning this Application shall be mailed to the Commission, the Company, and the City at the addresses reflected below:

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

For the Company:
Ted Weston
Daniel E. Solander
1407 W. North Temple, Suite 330
Salt Lake City, Utah 84116
E-Mail: ted.weston@pacificorp.com
daniel.solander@pacificorp.com

Street Address for Express Mail:
472 W. Washington Street
Boise, ID 83702-5918

For the City:
Idaho Falls City Power
Bear Prairie
140 South Capital Avenue
Box 50220
Idaho Falls, Idaho 83405

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 "Utility 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 Company may file reply comments, if necessary, by **no later than June 25, 2019**.

NOTICE OF TELEPHONIC PUBLIC HEARING

YOU ARE FURTHER NOTIFIED that the Commission's Rules of Modified Procedure contemplate that a case will be processed by written submissions without the need for a public hearing. However, the Commission finds good cause to schedule a public hearing in this case because the Company filed its Application under *Idaho Code* § 61-328, and that statute requires a public hearing.

YOU ARE FURTHER NOTIFIED that the Commission will conduct a public telephonic customer hearing in this matter on **TUESDAY, June 11, 2019 AT 2:00 P.M. MDT.** The purpose of the public hearing is to take testimony from members of the public and the Company's customers. To participate, interested persons can call **1-800-920-7487** shortly before or at the designated time, and enter the **passcode 6674832#** when prompted.

YOU ARE FURTHER NOTIFIED that the telephonic hearing will meet accessibility requirements of the Americans with Disabilities Act. Persons needing the help of a sign language interpreter or other assistance in order to participate in or to understand testimony at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION
PO BOX 83720
BOISE, IDAHO 83720-0074
(208) 334-0338 (Telephone)
(208) 334-3762 (FAX)
E-Mail: secretary@puc.idaho.gov

ORDER

IT IS HEREBY ORDERED that the Company's Application be processed by Modified Procedure, Rule 201-204. *See* IDAPA 31.01.01.201 through .204. Persons interested in submitting written comments must do so by no later than June 18, 2019. The Company may file reply comments, if necessary by no later than June 25, 2019.

IT IS FURTHER ORDERED that a telephonic public hearing be held on the Company's Application on **TUESDAY, June 11, 2019**.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this *21st* day of May 2019.



PAUL KJELLANDER, PRESIDENT




KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

I:\Legal\LORDERS\PACE1906_NtcApp_NtcMod_Ntcheat_dh.docx

NOTICE OF APPLICATION
NOTICE OF MODIFIED PROCEDURE
NOTICE OF TELEPHONIC HEARING
ORDER NO. 34337