DECISION MEMORANDUM

TO:COMMISSIONER NELSON

COMMISSIONER SMITH

COMMISSIONER HANSEN

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DAVE SCHUNKE

MARGE MAXWELL

GARY RICHARDSON

WORKING FILE

FROM:SCOTT WOODBURY

DATE:JUNE 19, 1996

RE:CASE NO.  WWP-E-96-5

REQUEST FOR EXEMPTION FROM MASTER-METERING RULES

BROOKSIDE LANDING RETIREMENT & HEALTH CARE FACILITY

On June 12, 1996, Mr. Steven J. Crockett, Vice President of Orofino Retirement Properties, Inc.  (the Company) directed a letter (attached) to the Idaho Public Utilities Commission (Commission) requesting an exemption from Rule 102 of this Commission’s Master-Metering Rules for Electric Utilities.  Reference IDAPA 31.26.01.102.  Rule 102 provides:

102.  Master-Metering and Individual Metering in Multi-Occupant Residential Buildings (Rule 102).

No multi-occupant residential buildings shall be master-metered after July 1, 1990, if the dwelling for non-transient tenants contain an electric space heating, water heating, or air conditioning (space cooling) unit that is not centrally controlled and for which the dwelling unit’s tenants individually control electric usage.

The Company has designed and plans to develop and construct the Brookside Landing Retirement & Health Care Facility (Brookside) in Orofino, Idaho.  Brookside is designed to be an institutional and assisted-living facility, that presents residential characteristics.  The two-story facility will be comprised of 12 residential care unit rooms and 28 apartment styled units.  The occupants, retired seniors, the Company states, will have made the choice that they no longer want the responsibilities for maintaining a home or apartment and want to have the assistance provided that can simplify and make their lives more secure.  Included in their standard rental package are meals, housekeeping, maintenance and all utilities (except telephone).  The Company requests an exemption from the individual metering standards which would otherwise by applied to the congregate living building.  The Company contends that master-metering should not be required in a project of this nature, where utility costs will be covered in the fees paid by residents, and where the facility is designed to be energy efficient.

Brookside provides features for extensive life safety measures to allow the occupant to live an independent life style in a controlled environment.  Energy conservation measures to be incorporated in the project include:

∙2" ridged Styrofoam perimeter insulation around the foundation below the floor.

∙2" x 6" exterior walls with R-19 batt insulation.

∙The roof structure is comprised of wood trusses with R-38 fiberglass foil-reinforced vapor barrier.

∙Doors are to be high-efficiency insulated and any glazing to be insulated solar bronze glass.

∙Windows to be high-efficiency vinyl framed with insulated low “E” argon gas glass.

∙Fluorescent lighting typical throughout instead of incandescent bulbs.

∙Natural gas not being available in this area the water heaters are to be U-L. approved, electric, glass-lined and have thermostatic step control and two magnesium anode rods.  Hot water recirculating pumps are to be installed in system and are to have built in thermal overload protection.

On June 17, 1996, The Washington Water Power Company filed a letter with the Commission  recommending that the request of Orofino Retirement Properties, Inc. for exemption for the Brookside project be approved (attached).

Staff Analysis

Staff concurs with Orofino Retirement Properties, Inc. and The Washington Water Power Company.  The Commission has established precedent in Idaho Power Order Nos. 23936 and 26451 (attached).  Staff recommends that the exemption be granted subject to the following conditions:

a)The exemption from the prohibition from master-metering applies only so long as the facility initially known as Brookside Landing Retirement and Health Care Facility is used for assisted living or similar institutional type care-giving;

b)The facility as constructed incorporates the energy efficiency measures described above and meets or exceeds Idaho Energy Codes; and

c)The terms of the exemption are recorded at the County Recorder’s office in a manner that would put any prospective purchasers of the facility on notice of the terms of the exemption.

Staff contends that the public interest does not require the solicitation of comments through a Modified Procedure process.

Commission Decision

Orofino Retirement Properties, Inc. in Case No. WWP-E-96-5 has requested an exemption from Rule 102 of the Commission’s Master Metering Rules for Electric Utilities. Can an Order be issued based on the filings of record? Should the exemption be granted?  Should the exemption be granted subject to conditions?

Scott Woodbury

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