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Director

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IDAHO PUBLIC UTILITIES COMMISSION

MEMORANDUM

TO: Germane Subcommittees for Administrative Rules Review of the Senate and House of Representatives State Affairs Committees

FROM: Research and Legislation Staff, Nugent MPN

RUL-6-09-01

DATE: August 21, 2009

SUBJECT: Three Sets of Proposed Rules of the Public Utilities Commission:

- IDAPA 31.11.01 - Safety & Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission (Docket #31-1101-0901);
- 31.21.01 - Customer Relations Rules for Gas, Electric & Water Public Utilities Regulated by the Idaho Public Utilities Commission (The Utility Customer Relations Rules) (Docket #31-2101-0901);
- 31.21.02 - Information to Customers of Gas, Electric & Water Public Utilities (Docket #31-2102-0901) (Chapter Repeal).

The Public Utilities Commission is proposing to promulgate three sets of proposed rules. One set deals with safety and accident reporting rules for utilities regulated by the Commission, one with customer relations rules for gas, electric and water public utilities regulated by the commission and one with information to customers of gas, electric and water public utilities.

The accident reporting rules incorporate 2009 changes to the International Fuel Gas Code and the International Fuel Gas Code. The Commission is also proposing to adopt 2009 Federal Regulations dealing with pipeline safety. The Commission is also proposing to amend its rules relating to reporting accidents. The proposed changes would require utilities to submit written accident reports within twenty-one (21) days from when they sustain damage to their facilities in excess of \$200,000 or when a member of the public incurs property damages in excess of \$200,000 as a result of contact with utility operating property. Damage resulting from motor vehicle accidents is exempt from the damage reporting rule.

The customer relations rules proposed to relocate three rules to a different portion of the administrative code. These rules also posed to require that water utilities with more than five

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thousand customers provide consumption data on each customer's bill comparing actual consumption in the current billing period with the corresponding billing period in the previous year. The PUC is also proposing to repeal a block of rules relating to information to customers of gas, electric and water public utilities after three of the rules are transferred elsewhere.

The third set of rules proposes to repeal the same set of rules "After transfer of the rules is complete" that the second set of proposed rules accomplishes. This set of rules appears to be duplicative with the last provision of rule 2 and appears to do virtually the same thing. It seems like we should be receiving one or the other, but not both.

It appears the proposed rules have been promulgated within the scope of statutory authority granted to the public utilities commission.

cc: Idaho Public Utilities Commission

Jean D. Jewell ✓

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