

**DECISION MEMORANDUM**

**TO: COMMISSIONER KJELLANDER  
COMMISSIONER SMITH  
COMMISSIONER HANSEN  
COMMISSION SECRETARY  
LEGAL  
WORKING FILE**

*RUL-U-04-01*

**FROM: BEVERLY BARKER**

**DATE: JULY 26, 2004**

**RE: PROPOSED REVISIONS TO THE UTILITY CUSTOMER RELATIONS  
RULES (IDAPA 31.21.01)**

Staff recommends that the Commission consider amending its Utility Customer Relations Rules. Staff does not anticipate opposition to adoption of these amendments. What follows is a brief description of the substantive revisions proposed by Staff. Attached for your review is a marked-up version of the rules, including one "housekeeping" change to a section heading.

If the Commission wishes to initiate a rulemaking this year, the proposed revisions must be submitted to the Administrative Rules Coordinator by August 25, 2004. The rules will be published in the October issue of the Administrative Bulletin. After publication, public comment will be accepted. The Staff will then submit an analysis of the comments and the Commission may then decide whether to adopt the proposed rules as pending rules.

**Rule 108 – Transfer of Deposits**

Staff proposes to add a provision to allow utilities to apply a deposit amount plus accrued interest to a customer's existing account when that customer moves to a new location within the utility's service territory. The rule currently requires utilities to transfer deposits to the account established for the new location. As amended, the proposed rule would allow utilities to either transfer the deposit to the new account or apply it to the account balance owing on the existing account. Due to limitations within its billing system, Avista is currently unable to transfer deposits as required by this rule. Changing the rule will provide utilities additional flexibility in handling customer deposits when those customers move and will bring Avista into compliance. The proposed change will not impose any additional deposit obligations on affected customers.

### **New Rule 110 – Unclaimed Deposits and Advance Payments**

Staff proposes a new rule to implement *Idaho Code* § 14-508 (attached), which allows utilities to pay funds from unclaimed utility deposits and advance payments to “a financial assistance program which assists the utility’s low income and disadvantaged customers with their utility bills”. For 2003, the total amount of unclaimed deposits held by Avista, PacifiCorp, and Intermountain Gas was \$4168. Idaho Power was unable to separately identify amounts for unclaimed deposits from total unclaimed funds. Under the proposed rule, Atlanta Power and regulated water utilities would also be allowed to contribute to low income programs, but possible funding amounts have not yet been identified. Staff does not anticipate that the amount would be substantial, however. The proposed rule would permit utilities to apply to the Commission for approval to pay unclaimed deposits to low-income consumer programs instead of to the State.

### **COMMISSION DECISION**

Does the Commission wish to issue proposed rules as recommended by Staff?

A handwritten signature in cursive script, appearing to read "Beverly Barker", is written over a horizontal line.

i:udmemos/rule dm 7 04

**IDAPA 31  
TITLE 21  
CHAPTER 01**

**31.21.01 - CUSTOMER RELATIONS RULES FOR GAS,  
ELECTRIC AND WATER PUBLIC UTILITIES REGULATED  
BY THE IDAHO PUBLIC UTILITIES COMMISSION  
(THE UTILITY CUSTOMER RELATIONS RULES)**

**RULES 100 TO 199 - DEPOSIT AND GUARANTEE PRACTICES  
FOR RESIDENTIAL AND SMALL COMMERCIAL CUSTOMERS**

(BREAK IN CONTINUITY OF SECTIONS)

**108. TRANSFER OF DEPOSIT (RULE 108).**

Deposits shall not be transferred from one customer to another customer or between classes of service, except at the customer's request. When a customer with a deposit on file transfers service to a new location within the same utility's service area, the deposit ~~and any outstanding balance~~ (with accrued interest) shall be either transferred to the account for the new location or credited to the customer's current account. (7-1-93)(    )

(BREAK IN CONTINUITY OF SECTIONS)

**110. UNCLAIMED DEPOSITS AND ADVANCE PAYMENTS (RULE 110).**

**01. Presumption of Abandonment.** Pursuant to Section 14-508, Idaho Code, any deposit or advance payment made to obtain or maintain utility service that is unclaimed by the owner for more than one (1) year after termination of service is presumed abandoned. (    )

**02. Financial Assistance Program.** A utility may apply to the Commission for approval to pay unclaimed deposits and advance payments presumed to be abandoned to a financial assistance program which assists the utility's low income and disadvantaged customers with payment of utility bills. The utility shall remain obligated to file its report of such abandoned property as required by Section 14-517, Idaho Code, and retain records as required by Section 14-531, Idaho Code. (    )

**1101. -- 199. (RESERVED).**

---

