

IDAPA 31--IDAHO PUBLIC UTILITIES COMMISSION

**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)**

DOCKET NO. 31-2101-0401

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5220(1), Idaho Code, notice is hereby given that the Commission has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 61-507, 61-515, and 14-508, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 20, 2004. The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a non-technical explanation of the substance and purpose of the proposed rulemaking:

The Commission is proposing to amend Rule 108 and to promulgate a new Rule 110. The proposed changes concern instances where customers have made deposits or advance payments to obtain utility service. The change to Rule 108 would allow a public utility to transfer a customer deposit to a new account or apply it to the account balance owing on an existing account. New Rule 110 implements *Idaho Code* § 14-508 that states any deposit or advance payment made to obtain utility service that is unclaimed for more than one (1) year after termination of service is presumed to be abandoned property. Rule 110 would allow a public utility to forward abandoned deposits or advanced payment to a financial assistance program certified by the Commission. In accordance with *Idaho Code* § 14-508, a "financial assistance program" is an entity which assists the utility's low-income and disadvantaged customers with payment of utility bills.

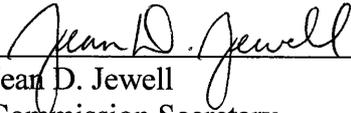
FEE SUMMARY: There are no fees associated with this proposed rulemaking.

NEGOTIATED RULEMAKING: Pursuant to IDAPA 04.11.01.811, negotiated rulemaking was not conducted because the change to Rule 108 is minor and Rule 110 merely adopts *Idaho Code* § 14-508.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Beverly Barker at (208) 334-0302. Anyone may submit written comments regarding this

proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 27, 2004.

DATED at Boise, Idaho this 16th day of August 2004.



Jean D. Jewell
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Idaho Public Utilities Commission
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**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).