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IDAHO PUBLIC
UTILITIES COMMISSION



October 25, 2005

Jean D. Jewell, Secretary
Idaho Public Utilities Commission
Statehouse Mail
W. 472 Washington Street
Boise, Idaho 83720

RE: Case No. RUL-U-04-2

Dear Ms. Jewell:

Avista Utilities appreciates the opportunity to comment on the IPUC Staff's Decision Memo dated August 12, 2005 regarding the proposed revisions to the Commission's Utility Customer Relations Rules (IDAPA 31.21.01) in the above-cited case.

Rule 306 – Termination of Residential Gas and Electric Service – Winter Payment Plan (The Winter Moratorium)

- ***Expanding the Moratorium Time Frame***—Two of the four goals set by the Commission for the winter moratorium policy include 1) encouragement of good payment habits by customers and 2) providing relief from impossible financial obligations. Avista believes that extending the moratorium to include the months of November and March conflicts with the goals set forth by the Commission. Customers who are not required to make payments for 5 months could find themselves in financial situations that could become difficult, if not impossible to catch up. Avista does not support the proposal to extend the moratorium.
- ***Expanding the Moratorium Eligibility Criteria to include customers who receive LIHEAP***—In northern Idaho, LIHEAP appointments start on December 1st and fill up quickly. Many customers have to wait 1-2 months for an appointment and by the time their grant is received, the Moratorium is almost over. In 2004, only 46% of the customers receiving LIHEAP, received their grants during the months of Dec., Jan., and Feb. Customers unable to get a LIHEAP appointment early on in the heating season would be unfairly treated under this new rule as opposed to those customers that receive the first appointments. Avista does not support the proposal to expand the eligibility criteria for moratorium.

- ***Modifications to Winter Payment Plan*** – Avista supports the proposal to eliminate the restriction on participation of the Winter Payment Plan and allow customers who make regular monthly payments during the moratorium period to participate in the Winter Payment Plan in succeeding years.
- ***Customers and applicants who move*** – During the “Best Practices” discussions, Avista supported the proposal to continue to provide service to a customer who moves to another location during the moratorium period. The definition of customer was recently revised in March 2004. Currently, a customer must have had service within the past 10 days to be considered a customer. Prior to the March 2004 revision, a customer must have had service in the past 60 days to be considered a customer. Under the proposed new rule, the utilities would be required to provide service to applicants who have had service within the past 30 days, this rule changes the definition of a customer. Avista does not support the proposal to require that utilities provide service to applicants who move.

Rule 304 – Requirements for Notice to Customers Before Termination of Service

- ***Double the number of Days of a Disconnect Notice***- Avista objects to ICAN’s proposal and supports Staff’s recommendation.
- ***Require 2 documented attempts to contact Customer*** - Avista objects to ICAN’s proposal and supports Staff’s recommendation.

Rule 305 – Contents of Notice of Intent to Terminate Service

- ***Require Disconnect Notices contain specific information during the months of November through February***- During the “Best Practices” discussions, Avista supported the proposal to include information about the winter moratorium, winter payment plan, and the availability of payment plans. In November 2004, Avista began providing this information in all disconnect notices.
- ***Require Disconnect Notices provide exact date and time of disconnect*** – Avista agrees with Staff that it would be impractical to provide this information on notices.
- ***Require Disconnect Notices be printed in foreign languages*** – Avista agrees with Staff and does not support ICAN’s proposal. Avista is sensitive to customers whose primary language is other than English and will continue to monitor changes in demographics that warrant changes in communications.

Rule 308 – Serious Illness or Medical Emergency

- ***Extend Medical Certificate protection*** – Avista agrees with Staff and does not support ICAN’s proposal.

Rule 311 – Restrictions on Termination of Service – Opportunity to Avoid Termination of Service

- ***Prohibit Disconnections on Fridays or any day preceding a legal holiday*** – Avista objects to ICAN's proposal and supports Staff's recommendation to reinstate the noon deadline on Fridays.

Rule 701 - Summary of Rules

- ***Provide the annual Summary of Rules in foreign languages*** – Avista objects to ICAN's proposal and supports Staff's recommendation to develop and make available model summaries of the rules. Avista is sensitive to customers whose primary language is other than English and will continue to monitor changes in demographics that warrant changes in communications.

Rule 702 - Multilingual Notices

- ***Multilingual Notices***- Avista agrees with Staff and does not support ICAN's proposal. Avista is sensitive to customers whose primary language is other than English and will continue to monitor changes in demographics that warrant changes in communications.

If you have any questions on these matters, please contact Renee Webb at (509) 495-7987 or myself at (509) 495-8706.

Sincerely,



Bruce Folsom
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Avista Corporation
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