

**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. 31-2101-0402**

**NOTICE OF NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that the Commission intends to initiate negotiated rulemaking and determine whether there is consensus to initiate a formal rulemaking. This negotiated rulemaking action is authorized pursuant to Sections 61-302, 61-303, 61-307, 61-503, 61-507, and 61-515, Idaho Code.

**WORKSHOP SCHEDULE:** The Commission's Staff will conduct two (2) public workshops for the purpose of discussing changes to the Utility Customer Relations Rules proposed by the Idaho Community Action Network (ICAN). The first public workshop will convene on October 21, 2004 at 9:00 a.m. MST in the Commission's Hearing Room, 472 West Washington Street, Boise, Idaho. The second informal workshop is scheduled for October 26, 2004 at 9:00 a.m. PST in Room 1B of the Kootenai County Administration Building, 451 Government Way, Coeur d'Alene, Idaho.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the informal negotiated rulemaking must do the following:

Interested persons may participate in the negotiated rulemaking workshops. The purpose of the informal workshops is to facilitate negotiated rulemaking in which all interested parties seek consensus on the content of proposed rule changes. For each proposed rule change there will be a discussion of the reason(s) for the proposed change(s), the advantages and disadvantages of implementing the proposed change, and whether there are ways to improve the proposed change or mitigate any disadvantages. Depending on the outcome of the two workshops, additional workshops may be scheduled later. The Commission anticipates that it will solicit public comments after the completion of the workshops.

**DESCRIPTIVE SUMMARY:** The following is a statement in non-technical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

In July 2004 ICAN filed a Petition for Rulemaking recommending that the Commission adopt six (6) proposed changes to its Utility Customer Relations Rules and promulgate one (1) new rule. In Order No. 29573 the Commission initiated this negotiated rulemaking docket. Briefly, ICAN proposes changing Rule 306 to extend the existing three (3) month winter moratorium period to five (5) months by adding the beginning month of November and the ending month of March. During the winter moratorium, utilities are prohibited from terminating natural gas or

electric heating service for residential customers with children, elderly, or infirmed persons. Second, ICAN proposes to amend Rule 308 concerning the postponement of service termination for medical reasons. Existing Rule 308 provides that a utility shall postpone termination of residential utility service for thirty (30) days upon receipt of a medical certificate stating that disconnection would adversely affect the health of a person residing in that household. ICAN proposes to extend the postponement depending upon the medical condition for a period not to exceed six (6) months, and renewable for a cumulative period not to exceed twelve (12) months.

Third, ICAN proposes to amend Rule 304.01 to increase the number of days required in which the utility must serve its initial notice of service termination to a customer from seven (7) days to fourteen (14) days. ICAN also proposes to change Rule 304.02 dealing with a utility's final notice of service termination. Rule 304.02 currently requires that the utility diligently attempt to contact the affected customer either in person or by telephone at least twenty-four (24) hours before the proposed date of service termination. ICAN proposes that there be at least two (2) documented attempts to contact the affected customer at different periods of the day. Fourth, ICAN proposes to amend Rule 305 which discusses the contents of a utility's final notice to terminate service. ICAN proposes that the termination notice include information on the winter moratorium and that it contain the specific date and time of day that service will be disconnected. ICAN also proposes that the final termination notice be published in English, Arabic, Farsi, Russian, Serbo-Croatian, Spanish, and any other language requested by at least twenty (20) customers.

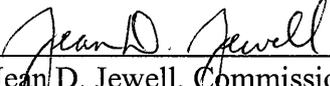
Fifth, existing Rule 311.01 prohibits the termination of utility service on Saturday, Sunday, a legal holiday, or after 2 p.m. on any Friday or on any day immediately proceeding any legal holiday. ICAN proposes that this rule be amended to prohibit disconnection on any Friday or day proceeding a legal holiday. Sixth, Rule 701 provides that each utility make available to its customers an annual summary of the Customer Relations Rules. ICAN proposes that Rule 701 be modified to provide that the annual summary be posted in the company's local office in both English and Spanish. It further suggests that the annual summary be made available in the five (5) other languages previously identified.

Finally, ICAN proposes that the Commission promulgate a new Rule 702 requiring utilities to provide the annual summary of the customer rules and termination notices in the five (5) foreign languages referenced above. ICAN also proposes that this rule require that each energy utility inquire when service is initiated whether the customer would like to receive notices in a language other than English.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES:** For assistance on technical questions concerning this negotiated rulemaking contact Beverly Barker at (208) 334-0302. The Commission's Order No. 29573 containing the proposed rule changes may be viewed and copied at the Commission's website, [www.puc.state.id.us](http://www.puc.state.id.us) by clicking on "Laws and Rules" and then "31-2101-0402 Negotiated Rulemaking." Copies of the Commission's Order may also be obtained at the Commission's offices or by calling the undersigned. ICAN's Petition for Rulemaking may be viewed on the Commission's website by clicking on "File Room" then "Multi-Utility Cases."

The deadline for submitting written comments concerning the negotiated rulemaking will be scheduled at a later date.

DATED at Boise, Idaho this 25<sup>th</sup> day of August 2004.

  
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