



State of Idaho

DIVISION OF FINANCIAL MANAGEMENT

Executive Office of the Governor

Proposed/Temporary Administrative Rules Form

Section 1 (To be completed by Agency)

Agency Name: IDAHO PUBLIC UTILITIES COMMISSION		STARS Agency Code: 900	Fax Number: 334-3762	Date: 03/02/2010
Contact Person: Ron Law Don Howell	Title: Executive Administrator DAG	Phone: 334-0331 334-0312	Email: ron.law@puc.idaho.gov don.howell@puc.idaho.gov	
Person Authorizing Rule: Jim Kempton	Title: President	Phone: 334-2898	Email: jim.kempton@puc.idaho.gov	

Section 2 (To be completed by Agency)

Statutory Authority for the rule making (Idaho Code, Federal Statute or Regulation):
Idaho Code § 61-601

Title, Chapter, and Possible Docket (IDAPA) Number:
31.01.01 31-0101-1001

This Rule is: Proposed Temporary Effective Date:
after Legislative review

If Temporary Rule:
 Necessary to protect the public health, safety, or welfare; or
 Compliance with deadlines in amendments to governing law or federal programs; or
 Conferring a benefit.

If this is a temporary rule which imposes a fee or charge, provide justification as described in Idaho Code 67-5226(2):
N/A

Provide a fiscal impact statement, both positive and negative, by fund source for all programs affected:
Rulemaking costs to the PUC are estimated to be \$500.

Need for Proposed Rule Change:
The proposed changes to the Commission's Rules of Procedure are necessary to comply with recent changes in the Idaho Appellate Rules and a recent opinion of the Idaho Supreme Court. Update other rules to improve clarity and housekeeping citations.

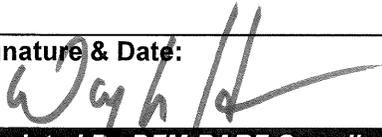
Proposed Rule Changes (Summary Only):
Amend Rules 231 and 286 to conform to changes in Appellate Rules. Change Rules 19 and 43 so that only attorneys may represent entities in formal PUC proceedings pursuant to a recent Supreme Court opinion. Improve clarity of other rules.

Interest Group(s) or Citizens Affected:
Public utilities, ratepayers, attorneys

Section 3 (DFM Use Only)

DFM Analyst Comments:
Beginning of negotiated rule making process. The proposed changes are housekeeping in nature, with the exception of the change to Rule 43. In response to a recent Idaho Supreme Court ruling, representation in a PUC hearing would be restricted to attorneys only.

DFM Analyst Fiscal Impact Review:
No fiscal impact to the agency. May be increased costs to appellants due to the requirement for attorney representation.

DFM Analyst Signature & Date: D. Keith Reynolds 3/4/10		Recommend: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Gov Special Assistant Signature & Date: Mark Warbis 3-5-10		Recommend: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
DFM Administrator Signature & Date:  3/5/10		Approval: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Section 4 (To Be Completed By DFM PARF Coordinator)		Date	Days
Received by DFM from Agency		3/2/2010	1
Received by DFM Analyst from Coordinator		3/3/2010	1
Received by Coordinator from Analyst		3/4/2010	1
Received by Governor's Special Assistant from Coordinator		3/5/2010	0
Received by Coordinator from Governor's Special Assistant		3/5/2010	0
Received by DFM Administrator		3/5/2010	

Return via email to: info@dfm.idaho.gov

Please keep DFM updated on progress.