

Dear Senators McKENZIE, Pearce & Stennett, and  
Representatives LOERTSCHER, Anderson & Mary Lou Shepherd:

The Legislative Services Office, Research and Legislation, has received the enclosed  
rules of the Idaho Public Utilities Commission:

IDAPA 31.11.01 - Safety & Accident Reporting Rules for Utilities Regulated by the

Idaho Public Utilities Commission (Docket #31-1101-0901);

31.21.01 - Customer Relations Rules for Gas, Electric & Water Public

Utilities Regulated by the Idaho Public Utilities Commission (The

Utility Customer Relations Rules) (Docket #31-2101-0901);

31.21.02 - Information to Customers of Gas, Electric & Water Public

Utilities (Docket #31-2102-0901) (Chapter Repeal).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by  
the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice  
to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis  
from Legislative Services. The final date to call a meeting on the enclosed rules is no later than  
9-10-09. If a meeting is called, the subcommittee must hold the meeting within forty-two (42)  
days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting  
on the enclosed rules is 10-8-09.

\_\_\_\_\_The germane joint subcommittee may request a statement of economic impact with  
respect to a proposed rule by notifying Research and Legislation. There is no time limit on  
requesting this statement, and it may be requested whether or not a meeting on the proposed rule  
is called or after a meeting has been held.

To notify Research and Legislation, call 334-2475, or send a written request to the  
address or FAX number indicated on the memorandum enclosed.

## **MEMORANDUM**

TO: Germane Subcommittees for Administrative Rules Review of the Senate and House of Representatives State Affairs Committees

FROM: Research and Legislation Staff, Nugent

DATE: August 21, 2009

SUBJECT: Three Sets of Proposed Rules of the Public Utilities Commission:

- IDAPA 31.11.01 - Safety & Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission (Docket #31-1101-0901);
- 31.21.01 - Customer Relations Rules for Gas, Electric & Water Public Utilities Regulated by the Idaho Public Utilities Commission (The Utility Customer Relations Rules) (Docket #31-2101-0901);
- 31.21.02 - Information to Customers of Gas, Electric & Water Public Utilities (Docket #31-2102-0901) (Chapter Repeal).

The Public Utilities Commission is proposing to promulgate three sets of proposed rules. One set deals with safety and accident reporting rules for utilities regulated by the Commission, one with customer relations rules for gas, electric and water public utilities regulated by the commission and one with information to customers of gas, electric and water public utilities.

The accident reporting rules incorporate 2009 changes to the International Fuel Gas Code and the International Fuel Gas Code. The Commission is also proposing to adopt 2009 Federal Regulations dealing with pipeline safety. The Commission is also proposing to amend its rules relating to reporting accidents. The proposed changes would require utilities to submit written accident reports within twenty-one (21) days from when they sustain damage to their facilities in excess of \$200,000 or when a member of the public incurs property damages in excess of \$200,000 as a result of contact with utility operating property. Damage resulting from motor vehicle accidents is exempt from the damage reporting rule.

The customer relations rules proposed to relocate three rules to a different portion of the administrative code. These rules also posed to require that water utilities with more than five

thousand customers provide consumption data on each customer's bill comparing actual consumption in the current billing period with the corresponding billing period in the previous year. The PUC is also proposing to repeal a block of rules relating to information to customers of gas, electric and water public utilities after three of the rules are transferred elsewhere.

The third set of rules proposes to repeal the same set of rules "After transfer of the rules is complete" that the second set of proposed rules accomplishes. This set of rules appears to be duplicative with the last provision of rule 2 and appears to do virtually the same thing. It seems like we should be receiving one or the other, but not both.

It appears the proposed rules have been promulgated within the scope of statutory authority granted to the public utilities commission.

cc: Idaho Public Utilities Commission

Jean D. Jewell

Donald L. Howell, II

## IDAPA 31 - IDAHO PUBLIC UTILITIES COMMISSION

### 31.11.01 - SAFETY AND ACCIDENT REPORTING RULES FOR UTILITIES REGULATED BY THE IDAHO PUBLIC UTILITIES COMMISSION

DOCKET NO. 31-1101-0901

#### NOTICE OF RULEMAKING - PROPOSED RULE

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that the Idaho Public Utilities Commission has initiated proposed rulemaking procedures. This action is authorized pursuant to Section 61-515, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 16, 2009.

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 Commission's address below.

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

The Commission's Safety and Accident Reporting Rules currently adopt by reference several national safety codes and federal safety regulations. In particular, Rules 202 and 203 currently adopt by incorporation the 2006 Editions of the International Fuel Gas Code and the International Mechanical Code, respectively. The Commission is proposing to update its Rules 202 and 203 by adoption of the 2009 Editions. Revisions in the 2009 International Fuel Gas Code include: Section 303.6 (gas-fired appliances installed outdoors); Section 306 (access to gas appliances); Section 310 (electrical bonding for corrugated stainless steel tubing); Table 402.4(13) (sizing for corrugated stainless steel tubing); Section 404 (prohibited locations for gas piping); Section 409.5 (appliance shut-off valves); Section 411.13 (maximum length, minimum size and prohibited locations of appliance connectors); Section 503.7-.8 (venting requirements); and Sections 623.7 and 627 (clearances for gas-fired cook tops and air conditioners). Revisions to the 2009 International Mechanical Code include: Sections 303.5 and 304.4 (restrictions on gas appliance locations); Section 306 (access to gas appliances); Section 403 and Table 403.3 (mechanical ventilation rates); Section 501 (exhaust systems); and Section 504 (gas clothes dryer exhaust requirement).

The Commission is also proposing to amend Rule 201 to adopt certain provisions of the 2009 Code of Federal Regulations (CFRs) dealing with pipeline safety regulations found at 18 C.F.R. Section 260.9 and 49 C.F.R. Parts 191-193, 195 and 199. Changes from the 2007 CFRs include: operating certain gas transmission pipelines at higher pressures, 73 Fed.Reg. 62148 (Oct. 17, 2008); design factors and pressure limits for natural gas pipelines made from new Polyamide-11 thermoplastic pipe, 72 Fed.Reg. 79002 (Dec. 24, 2008); and updated administrative procedures from the Pipeline Inspection, Protection, Enforcement, and Safety (PIPES) Act of 2006, 73 Fed.Reg. 16526 (March 28, 2008).

The Commission is also proposing changes to Rules 301 and 302 that would require utilities to submit written accident reports within twenty-one (21) days when they sustain damage to their facilities in excess of \$200,000 or when a member of the public incurs property damage in excess of \$200,000 as a result of contact with utility operating property. Damage resulting from motor vehicle accidents is exempt from the damage reporting rule. Finally, the Commission is proposing to make several housekeeping corrections to its Safety and Accident Reporting Rules regarding street addresses, telephone numbers, e-mail addresses, and citations to other authorities.

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

**FISCAL IMPACT:** There is no fiscal impact on the state general fund resulting from this rulemaking.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220, Idaho Code, negotiated rulemaking was not conducted because this proposed rule adopts updated national safety codes and federal regulations necessary for the safety of utility employees and the public during the installation, operation, or maintenance of natural gas pipelines, fuel gas systems and natural gas-fired appliances.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Donald L. Howell, II, Deputy Attorney General, at (208) 334-0312.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the Commission Secretary and must be delivered on or before September 23, 2009. Persons desiring to comment are encouraged to submit written comments at their earliest convenience rather than wait until the comment deadline.

DATED this 21st day of July, 2009.

Jean D. Jewell  
Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074  
Telephone: (208) 334-0338  
Facsimile: (208) 334-3762

Street address for express delivery:

472 W Washington  
Boise, Idaho 83702-5918

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**THE FOLLOWING IS THE PROPOSED TEXT FOR DOCKET NO. 31-1101-0901**

**000. LEGAL AUTHORITY (RULE 0).**

These rules adopt~~ing~~ by reference national safety codes and require~~ing~~ the reporting of certain accidents ~~are adopted~~ under the general authority of the Public Utilities Law, Chapters 1 through 7, Title 61, Idaho Code, and under the specific authority of Sections 61-515 and 61-517, Idaho Code. (4-1-98)(\_\_\_\_)

**(BREAK IN CONTINUITY OF SECTIONS)**

**004. PUBLIC RECORDS ACT COMPLIANCE (RULE 4).**

Notes of telephone reports required by Rule 301 and written reports required by Rule 302 are public records subject to inspection, examination and copying. Further investigative reports by the Commission or the Commission Staff are investigatory records exempt from disclosure. See Sections 9-337(46) and 9-340B, Idaho Code. Reports required by these rules and the results of further investigations by the Commission are by statute prohibited from admission into evidence in any action for damages based on or arising out of the loss of life or injury to the person or property. See Section 61-517, Idaho Code. (4-5-00)(\_\_\_\_)

**005. DEFINITIONS (RULE 5).**

**01. Utilities.** The terms “electrical corporation,” “gas corporation,” “pipeline corporation,” “telephone corporation,” and “water corporation” have the meanings given to them by statute in Chapter 1, Title 61, Idaho Code; orders of the Idaho Public Utilities Commission; and decisions of the Idaho Supreme Court ~~of Idaho~~ construing these statutes. (4-2-08)(\_\_\_\_)

**02. Serious Damage.** Damage to natural gas facilities caused by a natural disaster or terrorism that results in a loss of or reduction in pipeline throughput or storage deliverability. (4-2-08)

**03. Serious Interruption of Service.** Interruptions of natural gas pipeline service to communities, major governmental installations, and large industrial plants outside of communities or any other interruption that is significant in the judgment of the natural gas pipeline. Interruptions of less than three (3) hours or planned maintenance outages need not be reported. (4-2-08)

**(BREAK IN CONTINUITY OF SECTIONS)**

**201. FEDERAL NATURAL GAS SAFETY REGULATIONS (RULE 201).**

The Commission incorporates by reference Part 260.9, Title 18 (April 1, 2007~~9~~) and Parts 191, 192, 193, 195, and 199, Title 49, the Code of Federal Regulations (October 1, 2007~~9~~), except that federal accident reporting requirements contained in the rules adopted by reference in Rule 201 are replaced for state reporting purposes by orders of the Commission or rules of the Commission. These regulations are found in the Code of Federal Regulations, available from the U.S. Government Printing Office, Superintendent of Documents, Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954. The incorporated CFR Parts are also available in electronic format at [www.gpoaccess.gov/nara](http://www.gpoaccess.gov/nara). All gas and pipeline corporations subject to the Commission's jurisdiction are required to abide by applicable provisions of these federal regulations adopted by reference. (~~4-2-08~~)(      )

**202. INTERNATIONAL FUEL GAS CODE (IFG4C) (RULE 202).**

**01. Incorporation by Reference.** The Commission incorporates by reference the International Fuel Gas Code, 2006~~9~~ Edition except for Part 2 of Chapter 1. The International Fuel Gas Code is published by the International Code Council, ~~3~~500 New Jersey Avenue, NW, 6th Floor, Washington D.C. 20001-2070. The Code is available from the Code Council and may be ordered online at [www.iccsafe.org](http://www.iccsafe.org). Telephone orders may be placed by calling toll-free 800-786-4452. (~~4-2-08~~)(      )

**02. Utility Compliance.** All gas corporations subject to the jurisdiction of this Commission are required to abide by applicable provisions of the International Fuel Gas Code and to connect for service and light only those installations that: (3-20-04)

- a. Have been inspected and approved by authorized agencies; or (4-1-98)
- b. When inspecting agencies do not exist, to require their customers to abide by applicable provisions of the International Fuel Gas Code as a condition of receiving service or continuing to receive service. (3-20-04)

**203. INTERNATIONAL MECHANICAL CODE (IMC) (RULE 203).**

**01. Incorporation by Reference.** The Commission incorporates by reference those portions of the 2006~~9~~ International Mechanical Code explicitly referring to gas or gas-burning appliances except Part 2 of Chapter 1. The International Mechanical Code is published by the International Code Council, ~~3~~500 New Jersey Avenue, NW, 6th Floor, Washington D.C. 20001-2070 and may be ordered by calling toll-free 800-786-4452 or online at [www.iccsafe.org](http://www.iccsafe.org). (~~4-2-08~~)(      )

**02. Utility Compliance.** Gas corporations subject to the jurisdiction of this Commission are required to abide by applicable provisions of the International Mechanical Code and to connect for service and light only those installations that: (3-20-04)

- a. Have been inspected and approved by authorized agencies; or (4-1-98)
- b. When inspecting agencies do not exist, to require their customers to abide by applicable provisions of the International Mechanical Code as a condition of receiving service or continuing to receive service. (3-20-04)

**(BREAK IN CONTINUITY OF SECTIONS)**

**301. IMMEDIATE REPORTING OF FATALITIES AND CERTAIN ACCIDENTS AND MAJOR NATURAL GAS INTERRUPTIONS (RULE 301).**

**01. Fatality and ~~Accident~~ Hospitalization Reporting.** Whenever any employee of an electrical corporation, gas corporation, pipeline corporation, telephone corporation, or water corporation or any member of the public dies or requires in-patient hospitalization as a result of contact with or proximity to utility operating property, the utility must notify the Commission by telephone of the fatality or hospitalization no later than the first business day following discovery of the fatality or reporting of the hospitalization, except as provided in Subsection 31.11.01.301.02. Reports should be made to the Commission Secretary at (208) 334-0338. ~~(4-2-08)~~( )

**02. Property Accident Reporting.** Whenever an electrical corporation, gas corporation, pipeline corporation, telephone corporation, or water corporation or any member of the public suffers property damage in excess of two hundred thousand dollars (\$200,000) as a result of contact with or proximity to utility operating property, the utility shall file a written report with the Commission, except as provided in Subsection 31.11.01.301.03. Reports shall be made to the Commission Secretary at (208) 334-0338. ( )

**023. Operating Property -- ~~Automobile~~ Motor Vehicle Accident Exception.** As used in this rule, operating property means electric plant as defined in Section 61-118, Idaho Code, gas plant as defined in Section 61-116, Idaho Code, pipelines as defined in Section 61-114, Idaho Code, telephone line as defined in Section 61-120, Idaho Code, or water systems as defined in Section 61-124, Idaho Code. This reporting rule does not apply to fatalities, hospitalization, and property damage arising out of ~~automobile~~ motor vehicle accidents, even if the ~~automobile~~ motor vehicle later comes into contact with utility plant. Office buildings or portions of office buildings not associated with the physical delivery of utility services or commodities are not considered operating property. ~~(4-1-98)~~( )

**034. Major Service Interruptions or Damage to Natural Gas Pipelines.** The Commission incorporates by reference Section 260.9, Title 18, the Code of Federal Regulations (April 1, 2007). Every natural gas corporation must report serious damage to natural gas facilities and serious interruptions of service to the Commission. Natural gas corporations should also report other serious damage not caused by natural disaster or terrorism if such damages create the potential for serious delivery problems on its own system or the pipeline grid. (4-2-08)

**302. WRITTEN REPORTING OF ACCIDENTS AND NATURAL GAS INTERRUPTIONS (RULE 302).**

**01. Reporting Required.** In addition to any telephone reporting required under Rule 301, a written report shall be submitted for: (4-2-08)

**a.** Every accident involving an employee of the utility or member of the public that results in a fatality or in-patient hospitalization; (4-2-08)

**b.** Any other accident the utility finds significant; or (4-2-08)

**c.** Property damage to utility plant or non-utility property in excess of two hundred thousand dollars \$200,000; or ( )

**ed.** Serious damage or service interruption of natural gas pipelines. (4-2-08)

**02. Submitting the Written Report.** All written reports ~~must~~ shall be submitted to the Commission within twenty one (21) days after the fatality, ~~or injury~~ hospitalization or damage is discovered. Reports regarding serious damage or service interruption shall be submitted at the earliest feasible time. Reports should be mailed to:

COMMISSION SECRETARY

IDAHO PUBLIC UTILITIES COMMISSION  
PO BOX 83720  
BOISE, ID 83720-0074

Street Address for Express Mail:  
472 W. WASHINGTON ST.  
BOISE, ID 83702-598318

(4-2-08)( )

Copies of such reports may also be provided by facsimile at (208) 334-3762 or by electronic mail to secretary@puc.state.id.usidaho.gov. (5-3-03)( )

**03. Contents of Written Accident Report.** There is no standard form for written reports prescribed by this rule. Gas companies may file copies of reports submitted to federal regulators under 49 C.F.R. Part 191. All reports submitted ~~must~~ shall contain the following information: (4-2-08)( )

- a. Name of person(s) involved in the accident; (7-1-93)
- b. Status of persons involved in the accident (e.g., employees, children, contractors, etc.); (7-1-93)
- c. Time of day, day of the week and month, and location of the accident or discovery of the accident; (4-2-08)
- and* d. Description of the accident, the extent of property damage, and events leading up to the accident; (4-2-08)( )
- e. The scope of service interruption, if any, and the duration of service interruption; and ( )
- official.* ef. The company name, contact person, e-mail address and direct telephone number of the reporting (4-2-08)( )

**04. Contents of Written Report Involving Damage or Interruption to Natural Gas Facilities.** All written reports shall provide the following information: (4-2-08)

- a. The location and cause of the service interruption or damage to natural gas pipeline or storage facilities; (4-2-08)
- b. The nature of the serious damage to pipeline or storage facility; (4-2-08)
- c. The specific identification and location of any facilities damaged; (4-2-08)
- d. The time the service interruption or damage to facilities occurred; (4-2-08)
- e. The customers affected by the interruption of service or damage to facilities; (4-2-08)
- f. A brief description of emergency actions taken to maintain service; (4-2-08)
- g. An estimate of the time (if available) when pipeline throughput or storage deliverables are expected to be restored; and (4-2-08)
- official.* h. The company name, contact person, e-mail address and direct telephone number of the reporting (4-2-08)( )



## 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. 31-2101-0901

#### NOTICE OF RULEMAKING - PROPOSED RULE

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that the Idaho Public Utilities Commission has initiated proposed rulemaking procedures. This action is authorized pursuant to Section 61-507, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 16, 2009.

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 Commission's address below.

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

The Commission proposes to relocate three (3) rules from IDAPA 31.21.02 to IDAPA 31.21.01. The rules to be relocated are:

1. IDAPA 31.21.02.101 to IDAPA 31.21.01.702;
2. IDAPA 31.21.02.103 to IDAPA 31.21.01.201.04; and
3. IDAPA 31.21.02.104 to IDAPA 31.21.01.208.

The Commission also proposes in Rule 31.21.01.201.04.b that water utilities with more than five thousand (5,000) customers provide consumption data on each customer's bill comparing actual consumption in the current billing period with the corresponding billing period in the previous year. After the transfer of the rules is complete, the Commission proposes to repeal IDAPA 31.21.02. Relocating these rules will streamline the Commission's utility rules.

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

**FISCAL IMPACT:** There is no fiscal impact on the state general fund resulting from this rulemaking.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220, Idaho Code, negotiated rulemaking was not conducted because of the nature of the proposed action.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Donald L. Howell, II, Deputy Attorney General, at (208) 334-0312.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the Commission Secretary and must be delivered on or before September 23, 2009.

DATED at Boise, Idaho this 21st day of July, 2009.

Jean D. Jewell  
Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074  
Telephone: (208) 334-0338  
Facsimile: (208) 334-3762

Street address for express delivery:

472 W Washington  
Boise, Idaho 83702-5918

THE FOLLOWING IS THE PROPOSED TEXT FOR DOCKET NO. 31-2101-0901

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)

(BREAK IN CONTINUITY OF SECTIONS)

001. TITLE AND SCOPE (RULE 1).

The name of this chapter is "Customer Relations Rules for Gas, Electric and Water Public Utilities ~~Regulated by the Idaho Public Utilities Commission~~ (the Utility Customer Relations Rules)." This chapter has the following scope: These rules provide a set of fair, just, reasonable, and non-discriminatory rules ~~to address recurring areas of disagreement between utilities and customers~~ with regard to deposits, guarantees, billing, application for service, denial of service, termination of service and complaints to utilities. (7-1-93)( )

(BREAK IN CONTINUITY OF SECTIONS)

201. ISSUANCE OF BILLS -- CONTENTS OF BILLS (RULE 201).

Bills shall be issued on a regular basis. Bills must contain the following information: (3-30-01)

01. The Billing Date. (7-1-93)

02. The Time Period Covered by the Bill. (7-1-93)

03. Metered Service Billing. If metered service is the basis for billing, the beginning and ending meter readings, where the bill is based on actual readings, or a clearly marked statement that the bill is estimated, if the meter was not actually read, and the quantity of service provided, when applicable. (7-1-93)

04. ~~Billing Comparisons of Consumption Data. Comparisons of current and previous consumptions, when required by IDAPA 31.21.02.103.~~ (7-1-93)( )

a. Each gas and electric utility shall compare on each customer's regular billing the customer's actual consumption of gas or electricity with the customer's actual consumption of gas or electricity for the corresponding billing period in the previous year. If the billing periods being compared contain a different number of days, the utility shall adjust the data to take into account the different length of the billing periods and show the comparison as an absolute change in therm use or kilowatt hour use per day. ( )

b. Each water utility with more than five thousand (5,000) customers shall compare on each customer's regular billing the customer's actual consumption of water with the customer's actual consumption of water for the corresponding billing period in the previous year. The usage comparison shall be expressed in gallons or cubic feet based upon total consumption for each billing period or average consumption per day during each billing period. ( )

05.     **The Due Date of the Bill.** (7-1-93)
06.     **Itemization of All Charges.** An itemization of all charges, both recurring and nonrecurring. (7-1-93)
07.     **Any Amount Transferred From Another Account.** (7-1-93)
08.     **Any Amounts Past Due.** (7-1-93)
09.     **Payments or Credits.** Any payments or credits applied to the customer's account since the last bill. (7-1-93)
10.     **The Total Amount Due.** (7-1-93)
11.     **Address and Telephone Number.** The mailing address and toll-free telephone number(s) available to customers in the service territory for answering billing inquiries. (3-30-01)

**(BREAK IN CONTINUITY OF SECTIONS)**

**208.     DEGREE-DAY INFORMATION (RULE 208).**

Upon request, each gas and electric utility shall make degree-day adjusted data available to customers for comparisons of the kind made in Rule 201.04. ( )

**208. -- 299.     (RESERVED).**

**(BREAK IN CONTINUITY OF SECTIONS)**

**702.     EXPLANATION OF RATE SCHEDULE (RULE 702).**

Each gas, electric, and water utility shall transmit annually to each of its customers and give to each new customer at the time of initiation of service a clear and concise explanation of the existing rate schedule for the class of services selected by that customer. ( )

**702. -- 999.     (RESERVED).**

## **IDAPA 31 - IDAHO PUBLIC UTILITIES COMMISSION**

### **31.21.02 - INFORMATION TO CUSTOMERS OF GAS, ELECTRIC, AND WATER PUBLIC UTILITIES**

#### **DOCKET NO. 31-2102-0901 (CHAPTER REPEAL)**

#### **NOTICE OF RULEMAKING - PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that the Idaho Public Utilities Commission proposes to repeal its Utility Customer Information Rules. This action is authorized pursuant to Section 61-507, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 16, 2009.

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 Commission's address below.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for repealing the chapter:

The transfer of these rules is proposed in Docket No. 31-2101-0901. After the transfer of the rules is complete, the Commission proposes to repeal IDAPA 31.21.02. Consolidating these rules will streamline the Commission's utility rules.

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

**FISCAL IMPACT:** There is no fiscal impact on the state general fund resulting from this rulemaking.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220, negotiated rulemaking was not conducted because of the nature of the proposed action.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the rescission of these rules, contact Donald L. Howell, II, Deputy Attorney General, at (208) 334-0312.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the Commission Secretary and must be delivered on or before September 23, 2009.

DATED this 21st day of July, 2009.

Jean D. Jewell  
Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074  
Telephone: (208) 334-0338  
Facsimile: (208) 334-3762

Street address for express delivery:

472 W Washington  
Boise, Idaho 83702-5918

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**IDAPA 31.21.02 IS BEING REPEALED IN ITS ENTIRETY**