

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 52

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO PUBLIC UTILITIES REGULATION; AMENDING SECTION 61-315,  
2 IDAHO CODE, TO PROVIDE THAT WITH THE APPROVAL OF THE PUBLIC  
3 UTILITIES COMMISSION, A PUBLIC UTILITY MAY ESTABLISH REASONABLE  
4 NONRECURRING CHARGES FOR NEW CUSTOMERS TO PARTIALLY RECOVER  
5 THE COSTS OF PUBLIC UTILITY CAPITAL INVESTMENT IN NEW FACILITIES  
6 TO SERVE NEW CUSTOMER GROWTH AND TO DEFINE THE TERM "NEW  
7 CUSTOMER."  
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Section 61-315, Idaho Code, be, and the same is hereby amended to  
11 read as follows:

12 61-315. DISCRIMINATION AND PREFERENCE PROHIBITED – NEW CAPITAL  
13 INVESTMENT. (1) No public utility shall, as to rates, charges, service, facilities or in any  
14 other respect, make or grant any preference or advantage to any corporation or person or  
15 subject any corporation or person to any prejudice or disadvantage. No public utility shall  
16 establish or maintain any unreasonable difference as to rates, charges, service, facilities or in  
17 any other respect, either as between localities or as between classes of service.

18 (2) With the approval of the commission, a public utility may establish reasonable  
19 nonrecurring charges for new customers to partially recover the costs of public utility capital  
20 investment in new facilities to serve new customer growth. For purposes of this subsection, a  
21 "new customer" means a consumer taking service at a specific location not previously served.  
22 A change in customers at a location with existing service shall not be construed to be a new  
23 customer.

24 (3) The commission shall have the power to determine any question of fact arising under  
25 this section.