

Dear Senators GUTHRIE, Bernt, Wintrow, and
Representatives CRANE, Young, Gannon:

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

IDAPA 31.21.01 - Customer Relations Rules for Gas, Electric, and Water Public Utilities (The Utility
Customer Relations Rules) - Proposed Rule (Docket No. 31-2101-2401).

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 09/03/2024. 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 10/01/2024.

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 334-4854, or send a written request to the address on the
memorandum attached below.



Terri Kondeff
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate State Affairs Committee and the House State Affairs Committee
FROM: Deputy Division Manager - Katharine Gerrity
DATE: August 15, 2024
SUBJECT: Public Utilities Commission

IDAPA 31.21.01 - Customer Relations Rules for Gas, Electric, and Water Public Utilities (The Utility Customer Relations Rules) - Proposed Rule (Docket No. 31-2101-2401)

Summary and Stated Reasons for the Rule

The Idaho Public Utilities Commission submits notice of proposed rule at IDAPA 31.21.01 - Customer Relations Rules for Gas, Electric, and Water Public Utilities (The Utility Customer Relations Rules). The commission states that the rule is being proposed due to a request during a legislative committee hearing during the last legislative session that the word "may" be changed to "shall" regarding mailing notice to customers prior to termination of service.

Negotiated Rulemaking / Fiscal Impact

The commission notes that negotiated rulemaking was not conducted because negotiated rulemaking occurred last year when this rule went through the zero-based rulemaking process and due to the fact that a House committee requested the change.

Statutory Authority

The rulemaking appears to be authorized pursuant to chapters 3 and 5, title 61, Idaho Code.

cc: Public Utilities Commission
Monica Barrios-Sanchez

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

Paul Headlee, Deputy Director Matt Drake, Manager Keith Bybee, Manager April Renfro, Manager Norma Clark, Manager
Legislative Services Office Research & Legislation Budget & Policy Analysis Legislative Audits Information Technology

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IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION

31.21.01 – CUSTOMER RELATIONS RULES FOR GAS, ELECTRIC, AND WATER PUBLIC UTILITIES (THE UTILITY CUSTOMER RELATIONS RULES)

DOCKET NO. 31-2101-2401

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to the General legal authority of the Public Utilities Law, Chapters 1 through 7, Title 61, Idaho Code, and the specific legal authority of Sections 61-301, 61-302, 61-303, 61-315, 61-503, 61-507, and 61-520, 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 August 21, 2024.

The hearing site(s) 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 agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

During a legislative committee hearing, it was requested the Public Utilities Commission make a one word change in IDAPA 31.21.01.304.02 Rule the following year, change the word “may” to “shall.”

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because this set of rules went through negotiated rulemaking last year according to the Zero-Based Rulemaking process. Language in Rule 304 was adjusted to reflect the request of House Committee Chairman.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this proposed rulemaking or to obtain a preliminary draft copy of the rule text, contact Stephen Goodson at (208) 334-0323. Materials pertaining to the proposed rulemaking, including any available preliminary rule drafts, can be found on the Idaho Public Utilities Commission web site at the following web address: www.puc.idaho.gov.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 28, 2024.

DATED this 5th day of July, 2024.

Monica Barrios-Sanchez, Commission Secretary
Idaho Public Utilities Commission
11331 W. Chinden Blvd., Bldg. 8, Ste 201-A
Boise, ID 83714
P.O. Box 83720 Boise, ID 83720-0074
(208) 334-0323 Office
(208) 334-4045 Fax

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 31-2101-2401
(Only Those Sections With Amendments Are Shown.)

**31.21.01 – CUSTOMER RELATIONS RULES FOR GAS,
ELECTRIC, AND WATER PUBLIC UTILITIES
(THE UTILITY CUSTOMER RELATIONS RULES)**

**304. REQUIREMENTS FOR NOTICE TO CUSTOMERS BEFORE TERMINATION OF SERVICE
(RULE 304).**

01. Initial Notice. If the utility intends to terminate service to a customer under Rule 302, the utility will send to the customer written notice of termination mailed at least seven (7) calendar days before the proposed date of termination. Written notice may be provided by electronic mail (i.e. e-mail) if the customer is billed electronically and separately consents in writing to receiving electronic notification. This written notice will contain the information required by Rule 305. (7-1-24)

02. Final Notice. The utility ~~may~~ **shall** mail a final written notice to the customer at least three (3) calendar days, excluding weekends and holidays, before the proposed date of termination. ~~Regardless of whether~~ **When** the utility ~~elects to mails~~ a written notice, at least twenty-four (24) hours before the proposed date of termination, the utility must diligently attempt to contact the customer affected, either in person or by telephone, to advise the customer of the proposed action and steps to take to avoid or delay termination. This final notice will contain the same information required by Rule 305. (7-1-24)()

03. Additional Notice. If service is not terminated within twenty-one (21) calendar days after the proposed termination date as specified in a written notice the utility will again provide notice under Subsections 304.01 and 304.02 if it still intends to terminate service. (7-1-24)

04. Failure to Pay. No additional notice of termination is required if, upon receipt of a termination notice, the customer: (7-1-24)

- a.** Makes a payment arrangement and subsequently fails to keep that arrangement; (7-1-24)
- b.** Tenders payment with a dishonored check; or (7-1-24)
- c.** Makes an electronic payment drawn on an account with insufficient funds. (7-1-24)