



CHRISTA BEARRY
Legal Administrative Assistant
cbearry@idahopower.com
(208) 388-5996

October 18, 2013

VIA ELECTRONIC FILING AND U.S. MAIL

Attention: Filing Center
Public Utility Commission of Oregon
3930 Fairview Industrial Drive SE
P.O. Box 1088
Salem, Oregon 97308-1088

Re: Docket UM 1631
In the Matter of Idaho Power Company, Application for Waiver of OAR
860-027-0005, -0015, and -0070(1)

Dear Filing Center:

Enclosed for filing in Docket UM 1631 are an original and three (3) copies of Idaho Power Company's Application for Waiver of OAR 860-027-0005, -0015, and -0070(1). The Application has been served on the party(ies) to this proceeding as indicated in the Certificate of Service.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely, -

A handwritten signature in blue ink that reads "Christa Bearry". The signature is fluid and cursive, with a large loop at the end of the last name.

Christa Bearry

Enclosures

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 **UM 1631**

4 In the Matter of)
5 IDAHO POWER COMPANY,) **IDAHO POWER COMPANY'S**
6 Application for Waiver of OAR 860-027-) **APPLICATION FOR WAIVER OF OAR**
7 0005, -0015, and -0070(1).) **860-027-0005, -0015, and -0070(1)**

8 **I. INTRODUCTION**

9 Pursuant to OAR 860-001-0400(2) and OAR 860-027-0000(2) Idaho Power
10 Company ("Idaho Power" or "Company") respectfully requests that the Public Utility
11 Commission of Oregon ("Commission") waive certain requirements set forth in OAR 860-
12 027-0005, -0015, and -0070 that address the due date for the filing of the Budget of
13 Expenditures report ("Budget of Expenditures"), the New Construction Budget report
14 ("New Construction Budget"), and the annual report ("FERC Form 1"). OAR 860-027-
15 0000(2) allows the Commission to "waive any of the Division 027 rules for good cause
16 shown." In this case, requiring compliance with the terms of OAR 860-027-0005, -0015,
17 and -0070(1) is not feasible because data required for the reports is not finalized until after
18 the required due dates. Therefore, Idaho Power is asking the Commission to allow the
19 Company to file its 2014 Budget of Expenditures and the 2014 New Construction Budget
20 by March 15, 2014, and to file the FERC Form 1 for the calendar year 2013 by May 1,
21 2014.

22 Communications regarding this Application should be addressed to:

23 Lisa D. Nordstrom
24 Idaho Power Company
25 P.O. Box 70
Boise, Idaho 83707
Telephone: (208) 388-5825
lnordstrom@idahopower.com

Regulatory Dockets
Idaho Power Company
P.O. Box 70
Boise, Idaho 83707
dockets@idahopower.com

1 Courtney Waites
2 Idaho Power Company
3 P.O. Box 70
4 Boise, Idaho 83707
5 Telephone: (208) 388-5612
6 cwaites@idahopower.com

7 **II. BACKGROUND**

8 OAR 860-027-0005 and 860-027-0015 require the annual filing of budget reports.
9 OAR 860-027-0005 states that "Each energy utility operating within Oregon and having
10 gross operating revenues of \$50,000 or more per annum is required to file with the
11 Commission on or before the first day of November of each year, a copy of its proposed
12 Budget of Expenditures, on forms approved by the Commission" while OAR 860-027-0015
13 establishes a December 31 filing date for the New Construction Budget stating, "Each
14 energy utility operating within Oregon is required to file annually on or before December
15 31 on forms approved by the Commission information on new construction, extensions,
16 and additions to the utility's property." Both the Budget of Expenditures and New
17 Construction Budget are based on the Company's annual capital budget that is approved
18 by the Board of Directors during its mid-January meeting of the budget year. Idaho Power
19 has routinely asked the Commission for, and has been granted, an extension of these
20 reporting deadlines to March 15 of the budget year.

21 OAR 860-027-0070(1), the annual report requirements for electric utilities, provides
22 that "Annual Reports will be submitted by electric, gas, water, and steam heat utilities.
23 The report shall be submitted on or before April 1, using the most current forms approved
24 by the Commission." Similar to the budget reports, financial data used to complete the
25 FERC Form 1 is not available in time to complete the report by April 1. Idaho Power has
26 routinely asked for, and has been granted, an extension of the April 1 filing date to May 1
of the same year.

1 On October 16, 2013, Commission Staff contacted the Company indicating that the
2 Commission may grant a waiver of the rule setting the due date for budget and annual
3 reports and directed Idaho Power to apply for a waiver of OAR 860-027-0005, -0015, and
4 -0070 as provided for in OAR 860-027-0000(2).

5 **III. DISCUSSION**

6 **A. It is Not Feasible for Idaho Power to Complete the Budget and Annual Reports**
7 **by the Due Dates.**

8 Idaho Power's budget process begins during the fall prior to the budget year. Sign-
9 off on the budget is vested in the Board of Directors of IDACORP, Inc. ("IDACORP"), a
10 holding company whose principal operating subsidiary is Idaho Power, and the highest
11 decision making body of the Company. IDACORP has a set of established guidelines that
12 describe the budget-related matters that the Board must approve, including both the
13 Capital Budget and the Operation and Maintenance Budget. The budgets are presented
14 to the Board of Directors during the January meeting of the budget year. On occasion,
15 budget approval has been deferred until late February of the budget year. As soon as the
16 budgets are approved, the Company can begin preparation of the Budget of Expenditures
17 and New Construction Budget. Without an internally approved budget, Idaho Power
18 cannot meet its obligation under OAR 860-027-0005 and 860-027-0015. Once compiled,
19 the budget reports are reviewed, the Budget of Expenditures is signed by officers of the
20 Company as required, and the reports are filed with the Commission, months after the
21 November 1 filing requirement.

22 Similarly, the preparation of the FERC Form 1 cannot begin until the Company can
23 obtain its finalized and audited year-end financial data. When the financial data is
24 available, Idaho Power begins preparation of the FERC Form 1 as required by OAR 860-
25 027-0070(1). The FERC Form 1 is not completed and filed with the Federal Energy
26

1 Regulatory Commission until April 15 of each year, after the April 1 filing requirement of
2 OAR 860-027-0070.

3 **B. Idaho Power Has Historically Received an Extension of the Filing Date for the**
4 **Budget and Annual Reports.**

5 Idaho Power's budget and reporting of financial data practices are not new; like most
6 utilities, the Company has repeatedly requested extensions of the filing dates based on
7 internal processes that produce the data required for the reports. In recent years,
8 Commission Staff has accepted the Company's informal requests for an extension of the
9 filing date for all three reports. As it has committed in the past, if a waiver of OAR 860-
10 027-0005, -0015, and -0070(1) is granted, Idaho Power will make every attempt to file the
11 reports prior to the extension dates requested.

12 **IV. CONCLUSION**

13 Idaho Power respectfully requests that the Commission waive the requirement in
14 OAR 860-027-0005, -0015, and -0070(1) that address the due date for the filing of the
15 Budget of Expenditures, the New Construction Budget, and the FERC Form 1 and allow
16 the Company to file its 2014 Budget of Expenditures and 2014 New Construction Budget
17 by March 15, 2014, and to file its FERC Form 1 for the calendar year 2013 by May 1,
18 2014.

19 Respectfully submitted this 18th day of October 2013.

20
21 
22 Lisa D. Nordstrom
23 Attorney for Idaho Power Company
24
25
26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of October 2013 I served a true and correct copy of IDAHO POWER COMPANY'S APPLICATION FOR WAIVER OF OAR 860-027-0005, -0015, and -0070(1) on the following named person(s) on the date indicated below by first-class mail addressed to said person(s) at his or her last-known address(es) indicated below.

William Mooney
34567 Southwest Bald Peak Road
Hillsboro, Oregon 97123

- Hand Delivered
- U.S. Mail
- Overnight Mail
- FAX
- Email william.mooney@moonvilla.net


 Christa Beary, Legal Assistant