

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 426

In the Matter of

IDAHO POWER COMPANY,

Application for a General Rate Revision.

ORDER

DISPOSITION: FIRST, SECOND, AND THIRD PARTIAL STIPULATIONS ADOPTED; APPLICATION FOR GENERAL RATE REVISION APPROVED AS REVISED

I. SUMMARY

This order addresses Idaho Power Company’s request for a general rate revision. Idaho Power last updated costs associated with base rates (such as labor, capital, and equipment maintenance) for service to Oregon customers in 2011, making the base rate change we approve here the first in 13 years.

We approve an increase to Idaho Power’s Oregon jurisdictional revenue requirement of approximately \$6.7 million, representing an overall increase of 12.14 percent, which is significantly lower than the 19.28 percent increase Idaho Power had requested. Considering only this general rate case’s change to base rates, an average residential customer using 1,164 kWh would experience a bill increase of approximately 14.42 percent on October 15, 2024. However, when combined with other annual power cost adjustments that reduced customer bills starting on June 1, 2024, the average residential customer using 1,164 kWh will experience a much smaller bill increase—of approximately 5 percent—when compared to average bills last winter. In this order, we also approve a bill discount program for Idaho Power’s Oregon customers experiencing low incomes.

II. PROCEDURAL HISTORY

On December 15, 2023, Idaho Power filed Advice No. 23-14 to request a general rate increase. In these proceedings, we investigated the prudence and reasonableness of the proposed tariffs. Public Utility Commission of Oregon Staff, the Oregon Citizens’ Utility

Board (CUB), J.R. Simplot Company (Simplot), Community Energy Project (CEP), and Oregon Irrigation Pumpers Association, Inc. (OIPA) all participated as parties to these proceedings. During the investigation, parties filed testimony and exhibits.

On February 16, 2024, the Commission's Chief Administrative Law Judge held a workshop to provide interested stakeholders with training on Commission rules, procedures, and general rate cases as well as to answer relevant questions on this docket.

On March 5, 2024, the Commission held a special public meeting workshop to discuss environmental justice concerns related to this docket.

Two public comment hearings were held to hear comment from the public on Idaho Power's filing. The first public comment hearing was conducted via Zoom video conference on March 14, 2024. The second public comment hearing was held in person in Ontario, Oregon on March 20, 2024.

On May 16, 2024, Idaho Power, Commission Staff, CUB, Simplot, and CEP filed a first partial stipulation with supporting testimony resolving all issues in these proceedings for the stipulating parties,¹ except for details regarding Idaho Power's bill discount program.

On May 17, 2024, Idaho Power, Commission Staff, CUB, Simplot, and CEP filed a second partial stipulation with supporting testimony resolving issues related to Idaho Power's bill discount program.

On June 14, 2024, Idaho Power, Commission Staff, CUB, Simplot, and OIPA filed a third partial stipulation with supporting testimony resolving issues related to irrigation customer rate design.

The ALJ issued a ruling closing the evidentiary record on September 4, 2024.

III. COMPANY FILING

In its initial filing on December 15, 2023, Idaho Power proposed an Oregon jurisdiction revenue requirement increase of approximately \$10.7 million, or 19.28 percent. The company's filing provided a forecast of costs for a 2024 test year. According to the company, the main drivers for the proposed rate increase are generation, transmission, and distribution system investments since its last rate case in 2011; inflation and other

¹ In this order, the phrase "stipulating parties" refers to the parties that agreed to the specific stipulation being discussed. OIPA, which had petitioned to intervene on April 23, 2024, and been granted intervention on May 7, 2024, did not join the first partial stipulation.

cost increases; increased wildfire mitigation measures; and a need to maintain the financial stability of the company.

Idaho Power proposed a rate of return (ROR) of 7.807 percent, based on a capital structure of 51 percent equity and 49 percent debt, with a 10.40 percent return on equity (ROE) and a 5.104 percent cost of debt. Idaho Power's filing included a class cost-of-service study (CCOS).

In addition, Idaho Power requested the Commission approve the company's Load Curtailment and Interruption Plan under Rule J; proposed Schedule 63 and bill discount program; proposed Schedule 64, the rider mechanism used to fund the bill discount program; request for a second deferral for all costs and revenues incurred to implement the proposed bill discount program's rate mitigation measures; and changes to the accounting and ratemaking treatment associated with the Jim Bridger Power Plant conversion to natural gas. Idaho Power also asked the Commission to authorize the company to track, for later recovery, all exploratory, implementation, administration, and marketing costs associated with the bill discount program using the deferral authorized by Order No. 23-055.

IV. APPLICABLE LAW

In a rate case, the Commission must take two primary steps. First, we must determine how much overall revenue the company should have the opportunity to receive. A utility's revenue requirement is determined based on the utility's reasonable and prudent costs to provide service. Second, we must allocate the revenue requirement among the utility's customer classes.²

In establishing a revenue requirement, we must determine: (1) the expected gross utility revenues; (2) the utility's operating expenses to provide utility service; (3) the rate base on which a return should be earned; and (4) the rate of return to be applied to the rate base to establish the return to which the stockholders of the utility are reasonably entitled.³ Establishing these values allows us to determine the utility's reasonable costs of providing service and required revenues so that the company's rates will be set at just and reasonable levels.

As the petitioner in this rate case, Idaho Power has the burden of proof. The phrase "burden of proof" has two meanings: one to refer to a party's burden of producing

² See, e.g., *American Can Company v. Lobdell*, 55 Or App 451, 454-55, rev den 293 Or 190 (1982).

³ See *Pacific Northwest Bell Telephone Company v. Sabin*, 21 Or App 200, 205 & n 4, rev den (1975).

evidence; the other to a party's obligation to establish a given proposition to succeed.⁴ To distinguish these two meanings, we refer to the burden of production and the burden of persuasion.⁵

ORS 757.210 establishes the burden of proof and provides that, in a rate case, "the utility shall bear the burden of showing that the rate or schedule of rates proposed to be established or increased or changed is fair, just and reasonable." Thus, Idaho Power must submit evidence showing that its proposed rates are just and reasonable. Once the company has presented its evidence, the burden of going forward (burden of production) then shifts to the party or parties who oppose including the costs in the utility's revenue requirement.⁶ Staff or an intervenor, if it opposes the utility's claimed costs, may in turn show that the costs are not reasonable. For any change proposed by Idaho Power that is disputed by another party, Idaho Power still must show, by a preponderance of evidence, that the change is just and reasonable. If the company fails to meet that burden, either because the opposing party presented persuasive evidence in opposition to the proposal, or because Idaho Power failed to present adequate information in the first place, then Idaho Power does not prevail because it has not carried its burden of proof.⁷

V. STIPULATIONS

A. Standard of Review

Under OAR 860-001-0350, some or all of the parties to a contested case can enter into a settlement of some or all of the issues, called a stipulation. The stipulation is an agreement among the parties to propose an outcome to the issues raised in the case. The Commission may adopt, reject, or propose to modify a stipulation.

In reviewing a stipulation, the Commission determines whether the stipulation, considered in its entirety, results in fair, reasonable, and just rates. The Commission reviews settlements on a holistic basis to determine whether they serve the public interest and result in just and reasonable rates. A party may challenge a settlement by presenting evidence that the overall settlement results in something that is not compatible with a just and reasonable outcome. Where a party opposes a settlement, the Commission reviews the issues pursued by that party and considers whether the information and argument

⁴ *In the Matter of Portland General Electric Company's Proposal to Restructure and Reprice Its Services in Accordance with the Provisions of SB 114*, Docket No. UE 115, Order No. 01-777 at 4 (Aug. 31, 2001), citing *Hansen v. Oregon-Wash. R.R. & Nav. Co.*, 97 Or 190 (1920).

⁵ See, e.g., ORS 40.105; 40.115.

⁶ See *In the Matter of the Application of Northwest Natural Gas Company for a General Rate Revision*, Docket No. UG 132, Order No. 99-697 at 3 (Nov. 12, 1999).

⁷ See *In the Matter of PacifiCorp's Proposal to Restructure and Reprice its Services in Accordance with the Provisions of SB 1149*, Docket No. UE 116, Order No. 01-787 at 11 (Sep. 7, 2001).

submitted by the party (which may be technical, legal, or policy information and argument) suggests that the settlement is not in the public interest, will not produce rates that are just and reasonable, or otherwise is not in accordance with the law. To support the adoption of a settlement, the stipulating parties must present evidence that the stipulation is in accord with the public interest and results in just and reasonable rates.

If the Commission proposes to modify a stipulation, the Commission must explain the decision and provide the parties sufficient opportunity on the record to present evidence and argument to support the stipulation.

B. First Partial Stipulation⁸

The first partial stipulation was filed on May 16, 2024, on behalf of Idaho Power, Commission Staff, CUB, Simplot, and CEP. OIPA, which entered the case as an intervenor earlier in May, was not a stipulating party to the first partial stipulation. No objections to the first partial stipulation were filed.

The first partial stipulation agrees to an Oregon revenue requirement increase of approximately \$6.7 million, representing an increase of 12.14 percent over the revenue requirement associated with Oregon's current base rates.⁹ The parties to the first partial stipulation agreed to adjustments that reduced Idaho Power's original proposed Oregon revenue requirement of \$10,694,934 to \$6,731,794.¹⁰ This represents a \$3,963,140 reduction due to the adjustments. The adjustments are summarized in the following table:

Stipulated Adjustment	Adjustment Impact	Description
Rate of Return & Capital Structure	(\$1,284,244)	Stipulating parties agree that ROE should be set at 9.5 percent and overall ROR should be set at 7.302 percent. ¹¹
Jurisdictional Allocation	(\$700,505)	Stipulating parties agree to the reduction related to the modification of certain demand and energy allocators.

⁸ Except as otherwise described, the three partial stipulations accept Idaho Power's proposals contained in its original December 15, 2023 filing.

⁹ First Partial Stipulation at 2.

¹⁰ *Id.* at 3.

¹¹ The individual components of the proposed capital structure are identified in a table in the first partial stipulation. First Partial Stipulation at 3.

Wildfire Mitigation	(\$834,951)	Stipulating parties agree to the reduction as a result of using a different allocation methodology between Oregon and Idaho than originally proposed by the company.
Uncollectible Accounts	(\$198,769)	Stipulating parties agree to the reduction based on the use of a historical three-year average to determine the test year amount.
Compensation	(\$241,748)	Stipulating parties agree to a revenue requirement reduction but agree there will be no rate base reduction related to this adjustment.
Benefits	(\$150,335)	Stipulating parties agree to the reduction based on updated data provided via discovery after the initial filing.
Oregon Regulatory Commission Fees	(\$78,717)	Stipulating parties agree to this reduction to reflect an updated assessment rate.
Hydro Kilowatt Hours Tax Expense	(\$76,731)	Stipulating parties agree to this reduction.
Corporate Activities Tax	(\$69,617)	Stipulating parties agree to this reduction to reflect an updated assessment rate.
Transmission and Distribution O&M	(\$40,950)	Stipulating parties agree to this reduction.
Materials and Supplies	(\$59,993)	Stipulating parties agree to a revenue requirement reduction but agree there will be no rate base reduction related to this adjustment.
Hydro Facilities	(\$24,849)	Stipulating parties agree to a revenue requirement reduction but agree there will be no rate base reduction related to this adjustment.

Cash Working Capital	(\$15,177)	Stipulating parties agree to a revenue requirement reduction but agree there will be no rate base reduction related to this adjustment.
Miscellaneous Adjustments	(\$136,553)	Stipulating parties agree to this reduction.
Weatherization Expense Recovery	(\$50,000)	Stipulating parties agree to this adjustment and agree to additional measures Idaho Power will take on an ongoing basis: (1) track low income weatherization funding and spending through its Energy Efficiency Rider; (2) make available \$50,000 annually through its Energy Efficiency Rider for low-income weatherization; and (3) track annual spending for weatherization separately from energy efficiency and unspent amounts earmarked for weatherization will be carried forward and made available in future years.

For the purposes of the first partial stipulation, the stipulating parties agree to Idaho Power's CCOS study with two adjustments.¹² First, the stipulating parties agree that fixed generation costs be classified as 75 percent demand and 25 percent energy.¹³ Second, the stipulating parties agree that distribution functionalized costs be classified as 50 percent demand and 50 percent customer.¹⁴ The stipulating parties agree to a rate spread that provides for no class to receive an increase of less than 0.651 percent or more than 136 percent of the average overall increase.¹⁵ The first partial stipulation included an attachment with the stipulating parties' agreed rate spread.¹⁶

¹² First Partial Stipulation at 5.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.* at 5-6.

¹⁶ *Id.* at 6.

The stipulating parties agree to Idaho Power's proposed rate design structures with two adjustments to the residential rate design.¹⁷ First, the service charge will be \$10.00 per month.¹⁸ Second, a seasonal structure will not be implemented in these proceedings.¹⁹

The first partial stipulation also contains several non-revenue requirement provisions. The stipulating parties agree that:

- Idaho Power's retail rates effective October 15, 2024, will reflect the as-filed revenue requirement for Jim Bridger Power Plant-related cost components. For future ratemaking purposes, Idaho Power will track and record differences between the Bridger end-of-life assumptions reflected in the filed revenue requirement with the end-of-life assumptions that ultimately result from PacifiCorp's current general rate case (Docket No. UE 433). The stipulating parties ask the Commission to authorize the required accounting treatment necessary to track these differences, as described in an attachment to the first partial stipulation.
- Idaho Power will meet with Commission Staff to discuss ARIMA-based residential forecast and to explore the feasibility of developing separate jurisdictional load forecasts.
- Idaho Power will meet with Commission Staff to discuss whether a change to Idaho Power's 2024 Annual Power Cost Update (APCU) is necessary to align the APCU load forecast with the settled load forecast in this case. The stipulating parties agree that if a deferral is created because of those discussions, an earnings test will not be applied.
- Idaho Power will track future distribution overhead line vegetation management expenses by state commencing no later than January 1, 2025.
- Idaho Power will modify Rule F and Rule G of its tariff to reflect the availability of waived reconnection fees, field visit charges, and late payment charges for eligible low-income residential customers.²⁰
- Idaho Power will work with the Commission's Consumer Services section to create a report detailing the number of Oregon residential customers that were charged a reconnection fee, the number of such customers that are low-income, and the number of those customers enrolled in Idaho Power's bill discount program. This report will be filed with the Commission no later than one year and three months after the effective date of the Commission's order in this docket.

¹⁷ First Partial Stipulation at 6.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.* at 6-8.

- Idaho Power will submit an annual report by April 15 of each year detailing its demand-side activities in Oregon and will present the report to the Commission in a public meeting.
- Idaho Power will establish an Oregon Energy Efficiency Advisory Group to provide a forum to provide advice to the company on energy efficiency and weatherization activities.
- There will be a cost recovery cap for non-residential customers, to be implemented on a cents per kWh basis and targeting an effective cap of \$3,000 per month. This will be revisited no later than October 15, 2025, in Docket No. UM 2211.

The stipulating parties filed joint testimony supporting the first partial stipulation that describes the calculation methodologies, disputes, and agreements in greater detail.²¹ The stipulating parties agree that the first partial stipulation is in the public interest and will produce rates that are fair, just, and reasonable.²² Simplot filed a brief supporting the first partial stipulation.²³

C. Second Partial Stipulation

The second partial stipulation was filed on May 17, 2024, on behalf of Idaho Power, Commission Staff, CUB, Simplot, and CEP. OIPA was not a stipulating party to the second partial stipulation. No objections to the second partial stipulation were filed.

The second partial stipulation represents the stipulating parties' agreement on the programmatic elements of Idaho Power's bill discount program for income-qualified customers. The stipulating parties agree to set the top discount tier of the program, available to customers at the lowest income levels, at a 70 percent discount. Additionally, Idaho Power will train Community Action Partnership (CAP) agencies that administer the Oregon Low Income Home Energy Assistance Program (LIHEAP) to offer automatic enrollment in the program to eligible customers who are applying for LIHEAP.²⁴ The stipulating parties also agree that:

- Idaho Power will identify customers that received LIHEAP in the twelve months prior to October 15, 2024, and will notify them of the bill discount program's availability and eligibility criteria;

²¹ Stipulating Parties/100; Tatum, Aschenbrenner, Chipanera, Stevens, Jenks, Fain/7-8.

²² Stipulating Parties/100; Tatum-Aschenbrenner, Chipanera, Stevens, Jenks, Fain/1-27.

²³ J.R. Simplot Co.'s Brief in Support of First and Second Partial Stipulations (May 28, 2024).

²⁴ Second Partial Stipulation at 3.

- Idaho Power will not consider LIHEAP payments when determining a customer's energy burden;
- Idaho Power will provide customers participating in the bill discount program with a survey allowing participants the opportunity to provide demographic information;
- By October 15, 2024, Idaho Power will meet with Commission Staff and interested stakeholders to determine the contents of the optional survey and the timing of when the post-enrollment survey will be sent;
- Idaho Power will make summarized information collected from the optional survey available to Commission Staff on request;
- By October 15, 2024, Idaho Power will meet with Commission Staff and interested stakeholders to determine the bill discount program-related data and metrics to be reported quarterly by the company;
- By April 15, 2026, Idaho Power will convene a stakeholder group to discuss an arrearage management program;
- By October 15, 2024, Idaho Power will meet with Commission Staff and interested stakeholders to determine how "high-usage customers" will be defined and what metrics will be reported for such customers;
- Idaho Power will file high-usage customer metrics annually by April 15 along with the demand-side management report agreed to in the first partial stipulation;
- Idaho Power will work with CAP and other intervention agencies to explore the feasibility of a process to refer high-usage customers to such agencies for energy efficiency interventions and if feasible, the company will develop a process for such referrals;
- Idaho Power will report the findings of high-usage customer referral feasibility by April 15, 2025;
- By October 15, 2025, Idaho Power will meet with Commission Staff and interested stakeholders to determine how Post-Enrollment Verification (PEV) for bill discount program participants will be conducted;
- Idaho Power will remove language related to PEV from its proposed tariff schedule and will submit a tariff advice filing to update Schedule 63 after a PEV process has been considered by the Commission in a public process;
- Customers will be enrolled in the bill discount program for no less than four years and participating customers will not be removed until the spring following such four-year time frame;
- Prior to a customer's removal from the bill discount program, Idaho Power will notify participants of the re-enrollment process via communication channels determined by the company's targeted marketing approach informed by Commission Staff, parties, and other interested stakeholders;

- By December 31, 2024, Idaho Power will create an online application available in English and Spanish for the bill discount program and if additional time is needed, the company will provide notice by November 15, 2024, and meet with interested stakeholders to discuss why additional implementation time is needed.²⁵

The stipulating parties filed joint testimony supporting the second partial stipulation that describes the bill discount program, disputes, and agreements in greater detail.²⁶ Simplot filed a brief supporting the second partial stipulation.²⁷

D. Third Partial Stipulation

The third partial stipulation was filed on June 14, 2024, on behalf of Idaho Power, Commission Staff, CUB, Simplot, and OIPA. CEP was not a stipulating party to the third partial stipulation. No objections to the third partial stipulation were filed. Except as described in this section and in previous sections regarding the first and second partial stipulations, the third partial stipulation agrees to Idaho Power's proposals contained in its original filing on December 15, 2023.²⁸

The third partial stipulation represents the stipulating parties' agreement regarding rate design for agricultural irrigation service (Schedule 24). The stipulating parties agree to limit the increase in demand charge to 25 percent from the rate currently in effect for Schedule 24.²⁹ As a result, Idaho Power set the Schedule 24 demand charge at \$9.70 and made corresponding adjustments to the in-season energy rates.³⁰ The third partial stipulation included an attachment with the stipulating parties' agreed rate spread.³¹

The stipulating parties filed joint testimony supporting the third partial stipulation that describes the agreements in greater detail, including the reasons why OIPA supported a smaller change to the demand charge and the absence of impact to other, non-irrigation customer classes.³² Simplot filed a brief supporting the third partial stipulation.³³

²⁵ Second Partial Stipulation at 3-5.

²⁶ Stipulating Parties/200; Aschenbrenner, Farrell, Jenks, Fain/1-18.

²⁷ J.R. Simplot Co.'s Brief in Support of First and Second Partial Stipulations (May 28, 2024).

²⁸ Third Partial Stipulation at 3.

²⁹ *Id.*

³⁰ *Id.*

³¹ First Partial Stipulation at 3.

³² Stipulating Parties/300; Aschenbrenner, Stevens, Jenks, Kaufman/1-10.

³³ J.R. Simplot Co.'s Brief in Support of Third Partial Stipulation (June 14, 2024).

VI. RESOLUTION

We review the terms of any stipulation for reasonableness and accord with the public interest. We review settlements to determine whether, on a holistic basis, they serve the public interest and result in just and reasonable rates. We have reviewed Idaho Power's general rate case filing, the terms of the three partial stipulations resolving all issues in this docket, the joint supporting testimony for each partial stipulation, and Idaho Power's supporting testimony. We find that the stipulations represent a reasonable and appropriate resolution of the issues in this docket and that they will result in fair, just, and reasonable rates. Accordingly, we adopt the stipulations.

We particularly note the procedural innovations the parties used to arrive at the Second Partial Stipulation. We had observed some parties' concerns that proposing a bill discount program in the context of a complex contested case could limit access by entities working closely with the impacted customers. It appears that informal and formal steps taken by all participants enabled participation and allowed the settlement to reflect the perspectives and needs of a wider range of stakeholders. It is heartening that the continued focus on procedural equity is resulting in both process and policy innovations. Additionally, we are pleased to see energy efficiency and weatherization accompany the bill discount program. Systemically reducing energy burden by resolving the underlying causes of high usage is both aligned with the explicit direction of HB 2475 and reduces the long-term costs of the bill discount program. We look forward to the additional reporting and collaboration the parties have committed to on this front.

We are pleased to approve a bill discount program that is tailored to Idaho Power's unique Oregon service territory. Idaho Power's Low Income Needs Assessment (LINA) demonstrated that a program that provides meaningful support for energy burdened customers while balancing the needs of non-participating customers would require differences from the approach taken by other Oregon utilities.³⁴ The Second Partial Stipulation appears to do this effectively and institutes ongoing learning opportunities to understand whether these objectives are met in implementation. This program is an important complement to the rate change we approve.

³⁴ Idaho Power/1300, Aschenbrenner/26-28.

After significant scrutiny of Idaho Power's cost of service and negotiated adjustments to the rate increase that Idaho Power had requested, the parties universally agreed that Idaho Power had justified a change to its Oregon base rates for the first time in more than a decade. We additionally recognize the importance of the parties' commitments to successful implementation of the bill discount program, as well as lower annual costs mitigating the impact of the rate increase on residential customers this winter, in concluding that these stipulations are in the public interest.

VII. ORDER

IT IS ORDERED that:

1. The first partial stipulation between Idaho Power, Commission Staff, CUB, Simplot, and CEP filed on May 16, 2024, attached as Appendix A, is adopted.
2. The second partial stipulation between Idaho Power, Commission Staff, CUB, Simplot, and CEP filed on May 17, 2024, attached as Appendix B, is adopted.
3. The third partial stipulation between Idaho Power, Commission Staff, CUB, Simplot, and OIPA filed on June 14, 2024, attached as Appendix C, is adopted.
4. Advice No. 23-14 filed on December 15, 2023, is permanently suspended.
5. Idaho Power Company must file new tariffs consistent with this order to be effective October 15, 2024.

Made, entered, and effective Sep 23, 2024.



Megan W. Decker
Chair



Letha Tawney
Commissioner



Les Perkins
Commissioner

A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 426

In the Matter of
IDAHO POWER COMPANY,
Application for a General Rate Revision

FIRST PARTIAL STIPULATION

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This First Partial Stipulation resolves all issues among the parties to Idaho Power Company’s (“Idaho Power” or “Company”) Request for a General Rate Revision in Docket UE 426, with the exception of the programmatic elements of the Bill Discount Program, which will be addressed in the Second Partial Stipulation.

I. PARTIES

1. The parties to this First Partial Stipulation are Idaho Power, Staff of the Public Utility Commission of Oregon (“Staff”), the Oregon Citizens’ Utility Board (“CUB”), and the J. R. Simplot Company (“Simplot”) (collectively, the “Stipulating Parties”).¹ Community Energy Project (“CEP”) did not take a position on the issues resolved other than the settlement regarding issues described in Paragraphs 6(n), 6(o), 16, 17, and 18. CEP is a Stipulating Party as to the terms associated with those topics and otherwise does not oppose this First Partial Stipulation.

II. BACKGROUND

2. On December 15, 2023, Idaho Power filed a request for a general rate revision with the Public Utility Commission of Oregon (“Commission”) to become effective on October 15, 2024. Idaho Power’s request proposed to increase the Company’s annual Oregon jurisdictional revenues by approximately \$10.7 million, representing a 19.28 percent increase in revenues from the current base rates.

¹ The Oregon Irrigation Pumpers Association, Inc. was granted intervention on May 7, 2024, and was not a party to the proceeding at the time the Stipulating Parties negotiated the terms the First Partial Stipulation.

1 3. Administrative Law Judge (“ALJ”) John Mellgren convened a prehearing
2 conference on January 9, 2024. On January 12, 2024, ALJ Mellgren issued a memorandum
3 establishing a procedural schedule. On February 13, 2024, the parties held a settlement
4 conference regarding cost of capital but did not reach a settlement on that issue at that time.
5 On March 5, 2024, the Commission held a Special Public Meeting Workshop on Energy
6 Justice Issues followed by a related Staff-led workshop on April 15, 2024.

7 4. Staff, CUB, and CEP filed their opening testimony on March 25, 2024. The
8 parties participated in a settlement conference on April 5, 2024. To allow settlement
9 discussions to be further informed by input provided at the April 15, 2024, Energy Justice
10 workshop, the parties held an additional settlement conference on April 18, 2024. Thereafter,
11 parties continued to exchange emails regarding settlement terms. The Stipulating Parties
12 ultimately reached a settlement in principle on April 23, 2024 on the following issues. Idaho
13 Power filed a motion to suspend the procedural schedule, which was granted on April 24,
14 2024.

15 5. As a result of the settlement discussions, the Stipulating Parties reached a
16 partial settlement encompassing all issues in the case aside from the programmatic elements
17 of the Bill Discount Program. This First Partial Stipulation memorializes the Stipulating
18 Parties’ agreement.

19 **III. TERMS OF THE AGREEMENT**

20 **A. Revenue Requirement**

21 6. The Oregon jurisdictional revenue requirement proposed by the Company in its
22 direct case will be reduced by the adjustments shown in the table below, which results in a
23 total Oregon jurisdictional revenue requirement increase of \$6.7 million, representing an
24 increase of 12.14 percent over current base rates. The new rates produced by this agreement
25 will become effective on October 15, 2024.

Summary of Stipulated Revenue Requirement Adjustments (Figures reflect Oregon Jurisdictional Amounts)		
Filed Net Revenue Increase: \$10,694,934		
Stipulated Adjustments	Adjustment Impact	Net Rate Change
1. Cost of Capital		
a. Rate of Return & Capital Structure	(\$1,284,244)	\$9,410,690
2. Jurisdictional Allocation		
b. Jurisdictional Allocation	(\$700,505)	\$8,710,185
c. Wildfire Mitigation	(\$834,951)	\$7,875,234
3. Revenue Requirement Adjustments		
d. Uncollectible Accounts	(\$198,769)	\$7,676,466
e. Compensation	(\$241,748)	\$7,434,717
f. Benefits	(\$150,335)	\$7,284,382
g. Oregon Regulatory Commission Fees	(\$78,717)	\$7,205,665
h. Hydro Kilowatt Hours Tax	(\$76,731)	\$7,128,934
i. Corporate Activities Tax	(\$69,617)	\$7,059,317
j. Transmission and Distribution O&M	(\$40,950)	\$7,018,367
k. Materials and Supplies	(\$59,993)	\$6,958,374
l. Hydro Facilities	(\$24,849)	\$6,933,525
m. Cash Working Capital	(\$15,177)	\$6,918,348
n. Miscellaneous Adjustments	(\$136,553)	\$6,781,794
o. Weatherization Expense Recovery	(\$50,000)	\$6,731,794

1. Cost of Capital

(a) Rate of Return and Capital Structure. The Stipulating Parties agree that the Company's Return on Equity should be set at 9.5 percent and the Company's overall rate of return should be set at 7.302 percent. The individual components in the assumed capital structure should be set as shown in the table below.

Financial Component	Weight	Cost	Weighted Average
Cost of Long-Term Debt	50%	5.104%	2.552%
Common Equity	50%	9.500%	4.750%
Total	100%		7.302%

2. Jurisdictional Allocation

(b) Jurisdictional Allocation. Stipulating Parties agree to a revenue requirement reduction of \$700,505 related to the modification of certain demand and energy allocators. For the

1 purposes of the stipulated revenue requirement, billing determinants and retail revenues will not
2 be adjusted to reflect the modified allocation percentages.

3 (c) Wildfire Mitigation. Parties agree to a revenue requirement reduction of
4 \$834,951 related to the allocation of wildfire mitigation costs between Idaho and Oregon. Parties
5 agree that the adjustment is not an indication of the imprudence of any wildfire mitigation costs,
6 but rather is an adjustment related to using a different allocation methodology than was originally
7 proposed by the Company.

8 **3. Revenue Requirement Adjustments**

9 (d) Uncollectible Accounts. Parties agree to a reduction to recovery of
10 Uncollectible Accounts expense of \$198,769 based on the use of a historical three-year average
11 to determine the Test Year amount.

12 (e) Compensation. Parties agree to a revenue requirement reduction of
13 \$241,748 related to salaries, wages, and short-term incentive. Parties agree there will be no rate
14 base reduction related to this adjustment.

15 (f) Benefits. Parties agree to a Revenue Requirement reduction of \$150,335
16 related to employee benefits based on updated data provided via discovery after the initial filing of
17 this case.

18 (g) Oregon Regulatory Commission Fees. Parties agree to a reduction in the
19 recovery of Oregon Regulatory Commission Fees of \$78,717 to reflect an updated assessment
20 rate.

21 (h) Hydro Kilowatt Hours Tax. Parties agree to a reduction in the recovery of
22 Hydro Kilowatt Hours Tax expense of \$76,731.

23 (i) Corporate Activity Tax. Parties agree to a reduction in the recovery of Oregon
24 Corporate Activity Tax expense of \$69,617 to reflect an updated assessment rate.

25 (j) Transmission and Distribution O&M. Parties agree to a reduction in the
26 recovery of Transmission and Distribution O&M expense of \$40,950.

1 (k) Materials & Supplies. Parties agree to a revenue requirement reduction of
2 \$59,993 related to Materials and Supplies. Parties agree there will be no rate base reduction
3 related to this adjustment.

4 (l) Hydro Facilities. Parties agree to a revenue requirement reduction of \$24,849
5 related to Hydro Facilities. Parties agree there will be no rate base reduction related to this
6 adjustment.

7 (m) Cash Working Capital. Parties agree to a revenue requirement reduction of
8 \$15,177 related to Cash Working Capital. Parties agree that this adjustment will be applied as a
9 dollar-for-dollar reduction to revenue requirement rather than a reduction to rate base.

10 (n) Miscellaneous Expense Adjustment. For settlement purposes Parties agree
11 to an additional reduction to revenue requirement in the amount of \$136,553.

12 (o) Weatherization Expense Recovery. The Parties agree to remove \$50,000
13 from the proposed revenue requirement. On an ongoing basis: (1) Idaho Power will track low-
14 income weatherization funding and spending through its Energy Efficiency Rider, (2) Idaho Power
15 will make available \$50,000 annually through its Energy Efficiency Rider for low-income
16 weatherization, and (3) Idaho Power will track annual spending for weatherization separately from
17 energy efficiency and unspent amounts earmarked for weatherization will be carried forward and
18 made available in future years.

19 **B. Cost-of-Service, Rate Spread, and Rate Design**

20 7. Cost of Service. For settlement purposes, the Parties agree to the methodology
21 contained in the Company's filed Class Cost-of-Service ("CCOS") Study with two adjustments:
22 (1) fixed generation costs are to be classified as 75 percent demand and 25 percent energy,
23 and (2) distribution functionalized costs are to be classified as 50 percent demand and 50
24 percent customer.

25 8. Rate Spread. The Parties agree that CCOS should be used as the primary basis
26 for spreading revenue requirement; however, agree to a rate spread that provides for no class
27 to receive an increase of (1) less than 0.651 percent or (2) more than 136 percent of the

1 average overall increase. The agreed upon rate spread is shown in Attachment No. 1, and the
2 Customer Billed Impact percentages taking into proposed base revenues plus collections from
3 the following Riders: Schedule 55 (APCU), Schedule 56 (PCAM), Schedule 91 (Energy
4 Efficiency), Schedule 93 (Solar PV), and the proposed Schedule 64 (Bill Discount for Qualified
5 Customers Cost Recovery Mechanism) is shown in Attachment No. 2.

6 9. Rate Design. The Parties agree to the rate design structures presented in the
7 Company's Application, with two adjustments to the residential rate design: (1) the service
8 charge will be \$10.00 per month, and (2) a seasonal structure will not be implemented as part
9 of this case.

10 **C. Non-Revenue Requirement Stipulated Agreements**

11 10. Jim Bridger Power Plant ("Bridger") Depreciable Life: For settlement purposes,
12 the Stipulating Parties agree that Idaho Power's retail rates effective October 15, 2024, will
13 reflect the as-filed revenue requirement for Bridger-related cost components. The Stipulating
14 Parties agree that, for future ratemaking purposes, Idaho Power will track and record
15 differences between the Bridger end-of-life assumptions reflected in the filed revenue
16 requirement with the end-of-life assumptions that ultimately result from PacifiCorp's current
17 general rate case, Docket UE 433. Stipulating Parties request that the Commission authorize
18 the required accounting treatment necessary to track these differences as detailed in
19 Attachment No. 3.

20 11. Load Forecast Methodology: The Company will meet with Staff to (1) discuss
21 and address Staff's concerns regarding ARIMA-based residential forecast, and (2) explore the
22 feasibility of developing separate jurisdictional load forecasts.

23 12. Consistency in Load Forecast – Annual Power Cost Update ("APCU")/GRC:
24 The Company will meet with Staff to discuss whether a change to the Company's 2024 APCU
25 filing is necessary to align the APCU load forecast with the settled load forecast in this case.
26 The Stipulating Parties agree that if a deferral is created as a result of those discussions, an
27 earnings test will not be applied.

1 13. Wildfire Mitigation: The Company agrees to track future distribution overhead
2 line vegetation management expenses by state commencing no later than January 1, 2025.

3 14. Customer Protections: The Company will modify Rule F and Rule G of its tariff
4 to reflect the availability of waived reconnection fees, field visit charges, and late payment
5 charges for eligible low-income residential customers, as defined by OAR 860-021-0180.

6 15. Consumer Protections Reporting: Idaho Power will work with OPUC Consumer
7 Services to create a two-part report that: (1) details the number of Oregon residential
8 customers that were charged a reconnection fee, and (2) identifies the number of those
9 customers that are low-income (as defined by OAR 860-021-0180) and the number of those
10 customers that are enrolled in the Company's Bill Discount Program. The report will be filed
11 with the Commission no later than one year and three months after the effective date of the
12 Commission order in this docket.

13 16. Weatherization and Energy Efficiency Reporting: Idaho Power will submit an
14 annual report containing details related to demand-side management activities in Oregon,
15 including weatherization and energy efficiency participation, savings, and expenses. The report
16 will be filed no later than April 15 of each year and will contain programmatic information from
17 the prior calendar year. The Company will present the results of the report to the Commission
18 at a public meeting following its submission.

19 17. Oregon Energy Efficiency Advisory Group: Idaho Power will establish an
20 Oregon Energy Efficiency Advisory Group ("Oregon EEAG"). The Oregon EEAG will provide a
21 forum for the OPUC Staff, Community Action Partnership agencies, and other interested
22 stakeholders, including customer segment representation, to offer advice for Idaho Power in
23 the formulation, implementation, and evaluation of energy efficiency and weatherization
24 activities. Meetings will occur biannually and will be open to the public. Subject to the
25 preference and availability of Oregon stakeholders, Idaho Power commits to holding meetings
26 in-person with a virtual option.

1 18. Schedule 64, Bill Discount for Qualified Customers Cost Recovery Mechanism:

2 The Parties agree to a cost recovery cap targeting \$3,000 per month for non-residential
3 customers. The Parties agree that cost recovery for non-residential customers will be
4 implemented on a cents per kWh basis and will be revisited no later than October 15, 2025,
5 within Docket UM 2211.

6 **D. Other General Provisions**

7 19. The Stipulating Parties agree to submit this First Partial Stipulation to the
8 Commission and request that the Commission approve the First Partial Stipulation as
9 presented.

10 20. Unless addressed otherwise above, this First Partial Stipulation accepts the
11 proposals identified in Idaho Power's testimony and tariffs filed in this docket on December 15,
12 2023. Subject to the approval of this First Partial Stipulation (and resolution of the remaining
13 issue identified in Paragraph 5), the Company will file revised tariff schedules as a compliance
14 filing in this docket, which will reflect changes to the Company's filed tariff sheets, reflecting
15 rates and service provisions to be effective October 15, 2024.

16 21. This First Partial Stipulation will be offered into the record of this proceeding as
17 evidence pursuant to OAR 860-001-0350(7). The Stipulating Parties agree to support this First
18 Partial Stipulation throughout this proceeding and any appeal, and (if necessary) provide
19 witnesses to sponsor this First Partial Stipulation at the hearing and recommend that the
20 Commission issue an order adopting the settlements contained herein.

21 22. If this First Partial Stipulation is challenged, the Stipulating Parties agree that
22 they will continue to support the Commission's adoption of the terms of this First Partial
23 Stipulation. The Stipulating Parties agree to cooperate in cross-examination and put on such
24 a case as they deem appropriate to respond fully to the issues presented, which may include
25 raising issues that are incorporated in the settlements embodied in this First Partial Stipulation.

26 23. The Stipulating Parties have negotiated this First Partial Stipulation as an
27 integrated document. If the Commission rejects all or any material part of this First Partial

1 Stipulation, or adds any material condition to any final order that is not consistent with this First
2 Partial Stipulation, each Stipulating Party reserves its right, pursuant to OAR 860-001-0350(9),
3 to present evidence and argument on the record in support of the First Partial Stipulation or to
4 withdraw from the First Partial Stipulation. Stipulating Parties shall be entitled to seek rehearing
5 or reconsideration pursuant to OAR 860-001-0720 in any manner that is consistent with the
6 agreement embodied in this First Partial Stipulation.

7 24. By entering into this First Partial Stipulation, no Stipulating Party shall be
8 deemed to have approved, admitted, or consented to the facts, principles, methods, or theories
9 employed by any other Stipulating Party in arriving at the terms of this First Partial Stipulation,
10 other than those specifically identified in the body of this First Partial Stipulation. No Stipulating
11 Party shall be deemed to have agreed that any provision of this First Partial Stipulation is
12 appropriate for resolving issues in any other proceeding, except as specifically identified in this
13 First Partial Stipulation.

14 25. This First Partial Stipulation may be executed in counterparts and each signed
15 counterpart shall constitute an original document.

16 26. This First Partial Stipulation is entered into by each Stipulating Party on the date
17 entered below such Stipulating Party's signature.

18 ///

19 ///

20 ///

STAFF

By: /s/ Stephanie S. Andrus

Date: May 16, 2024

OREGON CITIZENS' UTILITY BOARD

By: /s/ Jennifer Hill-Hart

Date: May 16, 2024

IDAHO POWER

By: Lisa D. Nordstrom

Date: May 16, 2024

COMMUNITY ENERGY PROJECT

By: /s/ Tonia L. Moro

Date: May 16, 2024

SIMPLOT

By: /s/ Peter J. Richardson

Date: May 16, 2024

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UE 426

FIRST PARTIAL STIPULATION

Attachment No. 1

Rate Spread

May 16, 2024

Idaho Power Company
UE 426

Revenue Allocation Summary
First Partial Stipulation

Attachment No. 1 - Rate Spread

<u>Line No.</u>	<u>Tariff Description</u>	<u>Rate Schedule No.</u>	<u>Final Percent Change</u>	<u>Final Revenue Change</u>	<u>Final Revenue Allocation</u>	<u>Average Mills per kWh</u>	<u>Cost of Service Index</u>
	<u>Uniform Tariff Schedules</u>						
1	Residential Service	1	16.45%	\$ 3,064,831	\$ 21,691,135	112.35	92%
2	Small General Service	7	16.45%	\$ 356,292	\$ 2,521,630	125.33	84%
3	Large General Service	9-S	7.90%	\$ 718,188	\$ 9,812,188	87.37	107%
4	Large General Service	9-P	7.90%	\$ 85,514	\$ 1,168,329	79.37	102%
5	Large General Service	9-T	7.90%	\$ 16,067	\$ 219,513	69.81	109%
6	Dusk/Dawn Lighting	15	7.90%	\$ 8,634	\$ 117,966	312.73	140%
7	Large Power Service	19-P	7.90%	\$ 879,462	\$ 12,015,583	69.47	106%
8	Large Power Service	19-T	7.90%	\$ 490,201	\$ 6,697,341	69.95	118%
9	Irrigation Service	24	16.45%	\$ 1,100,539	\$ 7,788,992	116.83	99%
10	Unmetered Service	40	16.45%	\$ 59	\$ 415	76.96	50%
11	Municipal Street Lighting	41	7.90%	\$ 11,617	\$ 158,712	343.59	119%
12	Traffic Control Lighting	42	<u>16.45%</u>	<u>\$ 390</u>	<u>\$ 2,757</u>	<u>119.94</u>	<u>37%</u>
13	<i>Total Oregon Rates</i>		12.14%	6,731,794	62,194,561	91.52	100%

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UE 426

FIRST PARTIAL STIPULATION

Attachment No. 2

Customer Billed Impact

May 16, 2024

Idaho Power Company
UE 426

First Partial Stipulation

Attachment No. 2 – Customer Billed Impact

The Customer Class billed impact percentages below include the proposed base revenues plus collections from the following Riders: Schedule 55 (APCU), Schedule 56 (PCAM), Schedule 91 (Energy Efficiency), Schedule 93 (Solar PV), and the proposed Schedule 64 (Bill Discount for Qualified Customers Cost Recovery Mechanism).

Effect of Rate Change on Each Customer Class

Residential Service:	14.46%
Small General Service:	14.68%
Large General Service, Secondary Voltage:	7.21%
Large General Service, Primary Voltage:	7.20%
Large General Service, Transmission Voltage:	7.16%
Area Lighting Service:	7.66%
Large Power Service, Primary Voltage:	7.12%
Large Power Service, Transmission Voltage:	6.69%
Irrigation Service:	14.57%
Unmetered General Service:	13.81%
Municipal Street Lighting Service:	7.69%
Traffic Control Lighting Service:	14.60%

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UE 426

IDAHO POWER COMPANY

Attachment No. 3

Jim Bridger Power Plant End-of-Life Tracking Implementation

May 16, 2024

Idaho Power Company
UE 426

First Partial Stipulation

Attachment No. 3 – Jim Bridger Power Plant End-of-Life Tracking Implementation

Section C, Paragraph 10, of the First Partial Settlement Stipulation (“Partial Stipulation”) filed in this docket requires Idaho Power (“Idaho Power” or “Company”) to track and record differences between the Jim Bridger Power Plant (“Bridger”) end-of-life (“EOL”) assumptions reflected in the filed revenue requirement with the EOL assumptions approved in PacifiCorp’s current rate case, Docket UE 433 (“PacifiCorp EOL”).

To ensure the differences are appropriately tracked for accounting and ratemaking purposes, signing parties to the Partial Stipulation (“Parties”) agree to the following:

- Idaho Power’s depreciation rates effective October 15, 2024, will reflect as-filed Bridger-related depreciation rate assumptions and revenue requirement components.
- The Company will track through a regulatory asset or liability account the difference in Idaho Power’s Oregon depreciation rates for Bridger approved in Docket UE 426 and derived depreciation rates based on the PacifiCorp EOL. Tracking will begin coincident with the rate effective date of the final order issued in Docket UE 433, but no earlier than January 1, 2025.
- Derived depreciation rates calculated in accordance with the PacifiCorp EOL will be applied to the 13-month average Idaho Power 2024 Oregon Test Year plant balances for Bridger as approved in Docket UE 426. The derived depreciation rates based on the PacifiCorp EOL will not apply to incremental plant additions at Bridger beyond the 2024 test year. The review of the appropriate depreciable life for plant investment at Bridger not included in Docket UE 426 will occur in a future Oregon rate filing or the Company’s next depreciation study, whichever comes first.
- Idaho Power will continue to track the variance in depreciation between the Oregon approved depreciation rates in Docket UE 426 and the derived depreciation rates based upon the PacifiCorp EOL, through the regulatory asset or liability account as detailed above, until the earliest of a future Oregon rate filing or the Company’s next depreciation study, which is anticipated to result in depreciation rate changes in 2027.
- Amortization of the regulatory asset or liability will not be subject to an earnings test.
- To ensure mutual understanding, Public Utility Commission of Oregon (“Commission”) Staff (“Staff”) will provide Idaho Power a written memo following the issuance of the final order in Docket UE 433 detailing the PacifiCorp EOL dates for each Bridger unit as well as the Bridger common facilities.
- The provisions of this agreement require the continuation of the existing accounting treatment for Bridger described in Order No. 17-186, which provides for system-level Bridger plant

balances to be depreciated according to the Idaho-approved depreciation schedule and then to be subsequently adjusted to reflect the Oregon-approved depreciation schedule for ratemaking and cost recovery purposes. Idaho Power will continue to track, through a regulatory liability account, an adjustment that results from the difference between the as-filed Oregon depreciation rates approved in Docket UE 426 for Bridger plant and the depreciation rates applied to Bridger plant in Idaho. As of October 15, 2024, the Oregon depreciation rates will be updated to the Bridger depreciation rates included in the Company's filed rate case and approved in Docket UE 426.

- The provisions detailed in this attachment only apply to the outcome of Docket UE 426 as informed by the changes resulting from Docket UE 433. The Company will not automatically change its EOL assumption for Bridger if PacifiCorp is ordered by the Commission to make changes in a future proceeding.

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 426

In the Matter of
IDAHO POWER COMPANY,
Application for a General Rate Revision

SECOND PARTIAL STIPULATION

1 This Second Partial Stipulation resolves the programmatic elements of the Bill
2 Discount Program, which is the one remaining issue in Idaho Power Company’s (“Idaho
3 Power” or “Company”) Request for a General Rate Revision in Docket UE 426 that was not
4 previously addressed in the First Partial Stipulation.

I. PARTIES

5
6 1. The parties to this Second Partial Stipulation are Idaho Power, Staff of the
7 Public Utility Commission of Oregon (“Staff”), the Oregon Citizens’ Utility Board (“CUB”),
8 Community Energy Project (“CEP”) and the J. R. Simplot Company (“Simplot”) (collectively,
9 the “Stipulating Parties”).¹

II. BACKGROUND

10
11 2. On December 15, 2023, Idaho Power filed a request for a general rate revision
12 with the Public Utility Commission of Oregon (“Commission”) to become effective on October
13 15, 2024. Idaho Power’s request proposed to increase the Company’s annual Oregon
14 jurisdictional revenues by approximately \$10.7 million, representing a 19.28 percent increase
15 in revenues from the current base rates.

16 3. Administrative Law Judge (“ALJ”) John Mellgren convened a prehearing
17 conference on January 9, 2024. On January 12, 2024, ALJ Mellgren issued a memorandum

¹ The Oregon Irrigation Pumpers Association, Inc. was granted intervention on May 7, 2024, and was not a party to the proceeding at the time the Stipulating Parties negotiated the terms the Second Partial Stipulation.

1 establishing a procedural schedule. On February 13, 2024, the Stipulating Parties
2 participated in a settlement conference regarding cost of capital but did not reach a
3 settlement on that issue at that time. On March 5, 2024, the Commission held a Special
4 Public Meeting Workshop on Energy Justice Issues followed by a related Staff-led workshop
5 on April 15, 2024.

6 4. Staff, CUB, and CEP filed their opening testimony on March 25, 2024. The
7 Stipulating Parties participated in a settlement conference on April 5, 2024. To allow
8 settlement discussions to be further informed by input provided at the April 15, 2024, Energy
9 Justice workshop, the Stipulating Parties held an additional settlement conference on April
10 18, 2024. Thereafter, Stipulating Parties continued to exchange emails regarding settlement
11 terms. The Stipulating Parties ultimately reached a settlement in principle on April 23, 2024.
12 Idaho Power filed a motion to suspend the procedural schedule, which was granted on April
13 24, 2024. As a result of those settlement discussions, the Stipulating Parties reached the
14 First Partial Stipulation, which was filed in this docket on May 16, 2024, and resolved all
15 issues in the case aside from the programmatic elements of the Bill Discount Program for
16 income qualified customers that was authorized by House Bill 2475 (2021).

17 5. The Stipulating Parties have continued to exchange information regarding the
18 Bill Discount Program, and on May 6, 2024, the Stipulating Parties held a settlement
19 conference regarding the Bill Discount Program, at which the Stipulating Parties agreed to
20 terms resolving this issue in its entirety. This Second Partial Stipulation memorializes the
21 Stipulating Parties' agreement.

22 6. Unless otherwise addressed below, this Second Partial Stipulation accepts the
23 proposals identified in Idaho Power's testimony and tariffs filed in this docket on December
24 15, 2023. Attachment No. 1 contains a comprehensive outline of the programmatic elements
25 of the Bill Discount Program agreed to by the Stipulating Parties.

1 13. Program Reporting and Metrics: Prior to October 15, 2024, the Stipulating
2 Parties agree that Staff, Idaho Power, and other interested stakeholders will meet and
3 determine the program-related data and metrics to be reported quarterly by the Company.

4 14. Arrearage Management: Prior to April 15, 2026, the Stipulating Parties agree
5 that the Company will convene a stakeholder group to discuss an arrearage management
6 program.

7 15. Monitoring and Reporting of High Usage Customers: Prior to October 15, 2024,
8 the Stipulating Parties agree that Staff, Idaho Power, and other interested stakeholders will
9 meet and determine how “high-usage customers” will be defined and will determine metrics
10 that will be reported for high-usage customers. The Company will file the high-usage
11 customer metrics annually coincident with the report outlined in Paragraph 16 to the First
12 Partial Stipulation. The Company will coordinate with organizations who are engaged in
13 enrolling customers in the Bill Discount Program, including CAP agencies and other
14 intervention agencies, operating in Idaho Power’s Oregon service area to explore the
15 feasibility of implementing a process for referral of high-usage customers to the CAP
16 agencies for energy efficiency interventions. If determined feasible by the above
17 stakeholders, the Company commits to developing a process for referral of high-usage
18 energy customers. On April 15, 2025, coincident with the report outlined in Paragraph 16 to
19 the First Partial Stipulation, the Company will report the findings of the feasibility
20 determination.

21 16. Post-Enrollment Verification: Prior to October 15, 2024, the Stipulating Parties
22 agree that Staff, Idaho Power, and other interested stakeholders will meet and determine
23 how Post-Enrollment Verification (“PEV”) will be conducted as part of the Company’s Bill
24 Discount Program. The Company will remove language related to PEV from its proposed
25 tariff Schedule 63. After the PEV process has been considered through the public process,
26 the Company will submit a tariff advice filing to update Schedule 63.

1 17. Re-Enrollment Criteria: The Stipulating Parties agree that customers will be
2 enrolled in the Company's Bill Discount Program for no less than four years and that
3 participating customers will not be removed from the Company's Bill Discount Program until
4 the spring following such four-year time frame. Prior to a customer's removal from the
5 Company's Bill Discount Program, the Company will proactively notify participants of the re-
6 enrollment process via communication channels determined by the Company's targeted
7 marketing approach informed by Staff, parties, and other interested stakeholders.

8 18. Online Application: Idaho Power will create an online application (available in
9 both English and Spanish) which will be available for customers prior to December 31, 2024.
10 However, if additional implementation time is necessary, the Stipulating Parties agree that
11 prior to November 15, 2024, the Company will provide notice and, if needed, meet to discuss
12 why additional implementation time is needed.

13 **B. Other General Provisions**

14 19. The Stipulating Parties agree to submit this Second Partial Stipulation to the
15 Commission and request that the Commission approve the Second Partial Stipulation as
16 presented.

17 20. Subject to the approval of this Second Partial Stipulation, the Company will file
18 a revised Schedule 63 as a compliance filing in this docket, to be effective October 15, 2024.

19 21. This Second Partial Stipulation will be offered into the record of this proceeding
20 as evidence pursuant to OAR 860-001-0350(7). The Stipulating Parties agree to support this
21 Second Partial Stipulation throughout this proceeding and any appeal, and (if necessary)
22 provide witnesses to sponsor this Second Partial Stipulation at the hearing and recommend
23 that the Commission issue an order adopting the settlements contained herein.

24 22. If this Second Partial Stipulation is challenged, the Stipulating Parties agree that
25 they will continue to support the Commission's adoption of the terms of this Second Partial
26 Stipulation. The Stipulating Parties agree to cooperate in cross-examination and put on such

1 a case as they deem appropriate to respond fully to the issues presented, which may include
2 raising issues that are incorporated in the settlements embodied in this Second Partial
3 Stipulation.

4 23. The Stipulating Parties have negotiated this Second Partial Stipulation as an
5 integrated document. If the Commission rejects all or any material part of this Stipulation or
6 adds any material condition to any final order that is not consistent with this Second Partial
7 Stipulation, each Stipulating Party reserves its right, pursuant to OAR 860-001-0350(9), to
8 present evidence and argument on the record in support of the Second Partial Stipulation or
9 to withdraw from the Second Partial Stipulation. Stipulating Parties shall be entitled to seek
10 rehearing or reconsideration pursuant to OAR 860-001-0720 in any manner that is consistent
11 with the agreement embodied in this Second Partial Stipulation.

12 24. By entering into this Second Partial Stipulation, no Stipulating Party shall be
13 deemed to have approved, admitted, or consented to the facts, principles, methods, or
14 theories employed by any other Stipulating Party in arriving at the terms of this Second Partial
15 Stipulation, other than those specifically identified in the body of this Second Partial
16 Stipulation. No Stipulating Party shall be deemed to have agreed that any provision of this
17 Second Partial Stipulation is appropriate for resolving issues in any other proceeding, except
18 as specifically identified in this Stipulation.

19 25. This Second Partial Stipulation may be executed in counterparts and each
20 signed counterpart shall constitute an original document.

21 //

22 //

23 //

24 //

25 //

26 //

1 26. This Second Partial Stipulation is entered into by each Stipulating Party on the
2 date entered below such Stipulating Party's signature.

STAFF

By: /s/ Stephanie Andrus

Date: May 17, 2024

OREGON CITIZENS' UTILITY BOARD

By: /s/ Jennifer Hill-Hart

Date: May 17, 2024

IDAHO POWER

By: Lia D. Nubstran

Date: May 17, 2024

COMMUNITY ENERGY PROJECT

By: /s/ Tonia L. Moro

Date: May 17, 2024

SIMPLOT

By: /s/ Peter J. Richardson

Date: May 17, 2024

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UE 426

SECOND PARTIAL STIPULATION

Attachment No. 1

Programmatic Elements of the Bill Discount Program

May 17, 2024

Availability and Energy Burden Criteria:

The Bill Discount Program (“Program”) is available to all residential customers who can demonstrate or otherwise self-declare that:

- Their gross annual household income, adjusted for household size, is at or below 60 percent of household adjusted State Median Income (“SMI”), and
- Whose household’s estimated annual energy burden is calculated to be greater than six (6) percent for homes that are primarily electrically heated; or
- Whose household’s estimated annual energy burden is calculated to be greater than three (3) percent for homes that are primarily heated using a non-electric fuel source.

Income Qualification:

Customers must self-declare their gross annual household income. This information will be utilized as a component to determine Program eligibility and the potential discount amount.

Energy Burden Calculation:

The calculation to determine a customer’s estimated annual energy burden amount will be performed by Idaho Power Company (“Company”) or a representative authorized by the Company. This calculation will be conducted via a web-based portal.

- The web-based portal aggregates each requesting customer’s annual electric bill for their declared primary residence and compares such amount against the household’s customer-provided gross income, occupancy, and primary heating characteristics.
- Low Income Home Energy Assistance Program (“LIHEAP”) payments will not be considered when determining a customer’s energy burden.

To facilitate the Company’s calculation of a customer’s estimated energy burden, qualifying customers **or** their declared primary residence must have a combined 12 months of billing history.

- For example, if a customer does not have 12 months of billing history associated with continuous service in their name, the billing history associated with the premise will be relied upon to determine Program eligibility.

If a customer and/or their declared primary residence do not have a combined 12 months of billing history, they will not be eligible to participate in the Program until that criterion is met.

LIHEAP Participants:

Following the Company’s proposed Bill Discount Program effective date of October 15, 2024, Idaho Power will train participating Community Action Partnership (“CAP”) agencies that administer LIHEAP to offer automatic enrollment in the Program to customers who apply for LIHEAP and who are determined eligible for the Program.

The Company will also identify customers that received LIHEAP in the twelve months prior to October 15, 2024, and will notify those customers of the Program’s availability and eligibility criteria through communication channels determined by the Company’s targeted marketing approach, as informed by future discussion with Staff, parties, and any other interested stakeholders.

Enrollment:

Customers may request to participate in the Bill Discount Program by:

- Contacting Idaho Power Company at 1-800-388-6040.
- Contacting a CAP Agency or participating community-based organization.
- Submitting an online application, which will be available in both English and Spanish.

Program Discount Levels:

Participating customers will receive a monthly bill discount at one of three levels based upon their demonstrated or self-declared gross household income, adjusted for household size, as a percentage of household adjusted SMI, as follows:

	<u>Adjusted Household Income</u>	<u>Discount Towards Eligible Charges</u>
Tier 1	up to 20%	70% discount
Tier 2	>20% up to 40%	25% discount
Tier 3	>40% up to 60%	10% discount

Additional Terms and Conditions:

Upon acceptance into the Bill Discount Program, customers will be subject to the following terms and conditions:

- A Bill Discount Program participant must be the account holder.
- Household size reflects all permanent residents in the home, including adults and children.
- Gross annual household income refers to the aggregate amount of both taxable and nontaxable forms of income from all sources and for all persons in the applicant's household.
- A participating customer's eligible discount amount applies only towards bills associated with their declared, permanent primary residence and only towards new charges billed after enrollment, commencing with the billing period following the date of enrollment in the Program.
- It is the responsibility of the participating customer to notify the Company if there is a change in Program eligibility status.
- If a customer is removed from the Program, the Company will not seek to recover any benefits already provided to such customer. A customer that has been removed from the Program remains eligible for re-enrollment once the Company has received satisfactory documentation verifying such customer's eligibility and need.
- Customers will be enrolled in the Program for no less than four years and participating customers will not be removed from the Program until the spring following such four-year time frame.
 - Prior to a customer's removal from the Program, the Company will proactively notify participants in a manner that provides significant time and opportunity to re-enroll before termination from the Program.

Post-Enrollment Verification:

Staff, Idaho Power, and other interested stakeholders will meet and determine how Post-Enrollment Verification will be conducted as part of the Program. Following that process, the Company will submit a tariff advice filing to update Schedule 63, if needed.

Optional Participant Survey:

Idaho Power will survey Program participants, requesting they provide demographic information on a voluntary basis. Prior to October 15, 2024, Staff, Idaho Power, and other interested stakeholders will meet to determine the demographic information that will be requested in the optional survey and the timing of the survey. Upon request, Idaho Power will make summarized information available to Commission Staff.

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 426

In the Matter of
IDAHO POWER COMPANY,
Application for a General Rate Revision

THIRD PARTIAL STIPULATION

1 This Third Partial Stipulation resolves the issue of irrigation rate design, which
2 is an issue in Idaho Power Company’s (“Idaho Power” or “Company”) Request for a
3 General Rate Revision in Docket UE 426 that was raised by the Oregon Irrigation
4 Pumpers Association, Inc. (“OIPA”) following the execution and filing of the First and
5 Second Partial Stipulations, and is the only remaining disputed issue in this case.

I. PARTIES

6
7 1. The parties to this Third Partial Stipulation are Idaho Power, Staff of the
8 Public Utility Commission of Oregon (“Staff”), the Oregon Citizens’ Utility Board
9 (“CUB”), the J. R. Simplot Company (“Simplot”), and OIPA (collectively, the “Stipulating
10 Parties”). CEP does not join the Third Partial Stipulation, but does not oppose it.

II. BACKGROUND

11
12 2. On December 15, 2023, Idaho Power filed a request for a general rate
13 revision with the Public Utility Commission of Oregon (“Commission”) to become
14 effective on October 15, 2024. Idaho Power’s request proposed to increase the
15 Company’s annual Oregon jurisdictional revenues by approximately \$10.7 million,
16 representing a 19.28 percent increase in revenues from the current base rates.

17 3. Administrative Law Judge (“ALJ”) John Mellgren convened a prehearing
18 conference on January 9, 2024. On January 12, 2024, ALJ Mellgren issued a

1 memorandum establishing a procedural schedule. On February 13, 2024, Idaho
2 Power, Staff, CUB, CEP, and Simplot participated in a settlement conference regarding
3 cost of capital but did not reach a settlement on that issue at that time. On March 5,
4 2024, the Commission held a Special Public Meeting Workshop on Energy Justice
5 Issues followed by a related Staff-led workshop on April 15, 2024.

6 4. Staff, CUB, and CEP filed their opening testimony on March 25, 2024.
7 Idaho Power, Staff, CUB, CEP, and Simplot participated in a settlement conference on
8 April 5, 2024. To allow settlement discussions to be further informed by input provided
9 at the April 15, 2024, Energy Justice workshop, Idaho Power, Staff, CUB, CEP, and
10 Simplot held an additional settlement conference on April 18, 2024. Thereafter, the
11 parties continued to exchange emails regarding settlement terms. Idaho Power, Staff,
12 CUB, CEP, and Simplot ultimately reached a settlement in principle on April 23, 2024.
13 Idaho Power filed a motion to suspend the procedural schedule, which was granted on
14 April 24, 2024. As a result of those settlement discussions, Idaho Power, Staff, CUB,
15 CEP, and Simplot reached the First Partial Stipulation, which was filed in this docket
16 on May 16, 2024, and resolved all issues in the case at the time aside from the
17 programmatic elements of the Bill Discount Program for income qualified customers
18 that was authorized by House Bill 2475 (2021). On May 6, 2024, Idaho Power, Staff,
19 CUB, CEP, and Simplot held a settlement conference regarding the Bill Discount
20 Program, at which the parties agreed to terms resolving this issue in its entirety. The
21 Second Partial Stipulation addressed the programmatic elements of the Bill Discount
22 Program and was filed in this docket on May 17, 2024.

1 targets collection of \$7,788,992 from Schedule 24, consistent with the rate spread
2 agreed to in the First Partial Settlement Stipulation.

3 **B. Other General Provisions**

4 9. The Stipulating Parties agree to submit this Third Partial Stipulation to the
5 Commission and request that the Commission approve the Third Partial Stipulation as
6 presented.

7 10. Subject to the approval of this Third Partial Stipulation, the Company will
8 file revised tariff schedules as a compliance filing in this docket, which will reflect
9 changes to the Company's filed tariff sheets, reflecting rates and service provisions to
10 be effective October 15, 2024.

11 11. This Third Partial Stipulation will be offered into the record of this
12 proceeding as evidence pursuant to OAR 860-001-0350(7). The Stipulating Parties
13 agree to support this Third Partial Stipulation throughout this proceeding and any
14 appeal, and (if necessary) provide witnesses to sponsor this Third Partial Stipulation at
15 the hearing and recommend that the Commission issue an order adopting the
16 settlements contained herein.

17 12. The Stipulating Parties have negotiated this Third Partial Stipulation as
18 an integrated document. If the Commission rejects all or any material part of this
19 Stipulation or adds any material condition to any final order that is not consistent with
20 this Third Partial Stipulation, each Stipulating Party reserves its right, pursuant to
21 OAR 860-001-0350(9), to present evidence and argument on the record in support of
22 the Third Partial Stipulation or to withdraw from the Third Partial Stipulation. The
23 Stipulating Parties shall be entitled to seek rehearing or reconsideration pursuant to

1 OAR 860-001-0720 in any manner that is consistent with the agreement embodied in
2 this Third Partial Stipulation.

3 13. By entering into this Third Partial Stipulation, no Stipulating Party shall be
4 deemed to have approved, admitted, or consented to the facts, principles, methods,
5 or theories employed by any other Stipulating Party in arriving at the terms of this
6 Third Partial Stipulation, other than those specifically identified in the body of this
7 Third Partial Stipulation. No Stipulating Party shall be deemed to have agreed that
8 any provision of this Third Partial Stipulation is appropriate for resolving issues in any
9 other proceeding, except as specifically identified in this Third Partial Stipulation.

10 14. This Third Partial Stipulation may be executed in counterparts and each
11 signed counterpart shall constitute an original document.

12 15. This Third Partial Stipulation is entered into by each Stipulating Party on
13 the date entered below such Stipulating Party's signature.

STAFF

By: /s/ Stephanie Andrus

Date: June 14, 2024

OREGON CITIZENS' UTILITY BOARD

By: /s/ Claire Valentine-Fossum

Date: June 14, 2024

IDAHO POWER

By: Lia D. Nordstrom

Date: June 14, 2024

**OREGON IRRIGATION PUMPERS
ASSOCIATION, INC.**

By: /s/ Eric L. Olsen

Date: June 14, 2024

SIMPLOT

By: /s/ Peter Richardson

Date: June 14, 2024

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

IDAHO POWER COMPANY
UE 426
THIRD PARTIAL STIPULATION

Attachment No. 1
Calculation of Proposed Rates

June 14, 2024

**Idaho Power Company
State of Oregon
Calculation of Proposed Rates
Third Partial Stipulation
UE 426
Attachment No. 1
Agricultural Irrigation Service
Schedule 24 Secondary Service**

Line No.	Description	Test Year Billing Units	Current Base Rate	Test Year Base Revenue	Proposed Effective Rate	Proposed Effective Revenue
1	Service Charge - In-Season	9,313	\$ 16.85	\$ 156,922	\$ 30.00	\$ 279,387
2	Service Charge - Out-of-Season	18,265	3.00	54,795	6.00	109,589
3	Minimum Charge	221	\$ 3.00	\$ 664	3.00	\$ 664
4	<u>Demand Charge</u>					
5	In-Season	160,746	\$ 7.76	\$ 1,247,391	\$ 9.70	\$ 1,559,239
6	Out-of-Season	-	-	-	-	-
7	Total Demand	160,746		\$ 1,247,391		\$ 1,559,239
8	<u>In-Season Energy</u>					
9	First 164 kWh per kW	24,526,443	\$ 0.079602	\$ 1,952,354		
10	All Other kWh	30,887,715	0.076030	2,348,393		
11	Subtotal - In-Season Energy	55,414,158	\$ 0.077611	\$ 4,300,747	\$ 0.090205	\$ 4,998,634
12	<u>Out-of-Season Energy</u>					
13	All kWh	11,255,321	\$ 0.082444	\$ 927,934	\$ 0.074760	\$ 841,448
14	Subtotal - Total Energy	66,669,479	\$ 0.078427	\$ 5,228,681		\$ 5,840,082
15	Total Base Revenue			\$ 6,688,453		\$ 7,788,961

§ END

END §

Idaho Power Company
State of Oregon
Calculation of Proposed Rates
Third Partial Stipulation
UE 426
Attachment No. 1
Agricultural Irrigation Service
Schedule 24 Transmission Service

Line No.	Description	Test Year Billing Units	Current Base Rate	Test Year Base Revenue	Proposed Effective Rate	Proposed Effective Revenue
1	Service Charge - In-Season	-	\$ 144.00	\$ -	\$ 212.00	\$ -
2	Service Charge - Out-of-Season	-	3.00	-	6.00	-
3	Minimum Charge	-	\$ 3.00	\$ -	3.00	\$ -
4	<u>Demand Charge</u>					
5	In-Season	-	\$ 7.39	\$ -	\$ 9.24	\$ -
6	Out-of-Season	-	-	-	-	-
7	Total Demand	-		\$ -		\$ -
8	<u>In-Season Energy</u>					
9	First 164 kWh per kW	-	\$ 0.078316	\$ -		
10	All Other kWh	-	0.074860	-		
11	Subtotal - In-Season Energy	-	\$ -	\$ -	\$ 0.088748	\$ -
12	<u>Out-of-Season Energy</u>					
13	All kWh	-	\$ 0.081070	\$ -	\$ 0.073514	\$ -
14	Subtotal - Total Energy	-	\$ -	\$ -		\$ -
15	Total Base Revenue			\$ -		\$ -

§ END

END §