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February 14, 2019

Public Utility Commission of Oregon  
Filing Center  
201 High Street SE, Suite 100  
P.O. Box 1088  
Salem, Oregon 97301

Re: Tariff Advice No. 19-01  
Rule C, Service and Limitations

Attention Filing Center:

Pursuant to Oregon Revised Statute (“ORS”) 757.205 and Oregon Administrative Rule (“OAR”) 860-022-0025, Idaho Power Company (“Idaho Power” or “Company”) herewith transmits for filing the Second Revised Sheet No. C-2. The purpose of this filing is to add additional language to Rule C, Service and Limitations, to clarify the Company’s right to access customer property to trim customer trees and other vegetation that may interfere with the Company’s lines.

### **Background**

ORS 757.020 requires every public utility to “furnish adequate and safe service, equipment and facilities . . . .” To enforce utility and public safety, the Oregon Legislature empowered the Public Utility Commission of Oregon (through ORS 757.035) to establish and enforce regulations requiring any person or municipality “engaged in management, operation, ownership or control” of Oregon power lines “to construct, maintain and operate every line, plant, system, equipment or apparatus in such manner as to protect and safeguard the health and safety of all employees, customers and the public.” These regulations include OAR 860-024-0010, which requires every utility operator to comply with the standards prescribed by the National Electric Safety Code (“NESC”). NESC Rule 218 requires utilities maintain both vertical and horizontal clearances near its power lines for public safety and reliability. OAR 860-024-0016 also sets forth minimum vegetation clearance requirements “to provide safety for the public and utility workers, reasonable service continuity, and fire prevention.”


Electric utilities maintain the reliability and safety of their systems, partly by keeping tree branches away from their power lines, including those lines that are on customers' property. Under the Company's current tariff, there is no specific language asserting the Company's right to access a customer's property to trim tree branches and other vegetation to maintain required clearances. Therefore, the Company requests it be allowed to specifically include language that states the Customer shall permit the Company access to trim trees and other vegetation to the extent necessary to avoid interference with the Company's lines and to protect public safety as a condition of receiving service.

**Request**

Enclosed is revised Tariff Sheet No. C-2, reflecting the above-mentioned revision. Idaho Power respectfully requests that the proposed change be approved by March 21, 2019, and become effective March 22, 2019.

If you have any questions regarding this filing, please contact Christina Zwainz at (208) 388-6106 or [czwainz@idahopower.com](mailto:czwainz@idahopower.com).

Sincerely,



Lisa D. Nordstrom

LDN:kkt

Enclosure

RULE C  
SERVICE AND LIMITATIONS  
(Continued)

5. Point of Delivery Service Requirements (Continued)

Service delivered at low voltage (600 volts or under) will be supplied from the Company's distribution system to the outside wall of the Customer's building or service pole, unless an exception is granted by the Company and the City or State Electrical Inspector.

The Customer's facilities will be installed and maintained in accordance with the requirements of the National Electrical Code.

6. Limitation of Use. A Customer will not resell electricity received from the Company to any person except where the Customer is owner, lessee, or operator of an apartment house, mobile home court, or other multi-family dwelling where the use has been sub-metered prior to January 1, 1974, and the use is billed to residential tenants at the same rates that the Company would charge for service, unless the Commission authorizes alternative procedures. This limitation does not apply to customers that resell electricity as motor fuel, such as an electric vehicle service provider, consistent with ORS 757.005(1)(b)(G).

A Customer's wiring will not be extended or connected to furnish service to more than one building or place of use through one meter, even though such building, property, or place of use is owned by the Customer. This rule is not applicable where the Customer's business consists of one or more adjacent buildings or places of use located on the same Premises or operated as an integral unit, under the same name and carrying on parts of the same business.

7. Rights of Way. The Customer shall, without cost to the Company, grant the Company a right of way for the Company's lines and apparatus across and upon the property owned or controlled by the Customer, necessary or incidental to the supplying of Electric Service and shall permit access thereto by the Company's employees at all reasonable hours. The Customer shall also permit the Company to trim trees and other vegetation to the extent necessary to avoid interference with the Company's lines and to protect public safety.

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