

INTRODUCTION

The Idaho Public Utilities Commission was established by the 12th session of the Idaho Legislature and was organized on May 8, 1913. The Commission's statutory authorities are set out in Idaho Code, Titles 61 and 62.

The Commission oversees the intrastate operation of investor-owned electric, gas, water, and telecommunications utilities. The Commission does not regulate publicly owned, municipal, or cooperative utilities.

For much of the last 90 years, public utility regulation has been based on the idea of a regulatory compact between utilities and regulators under which, in return for an exclusive franchise granted by regulators, utilities agreed to serve all those requesting service; and in return for agreeing to invest capital in plant and facilities, utilities were given a reasonable opportunity to earn a fair return on that capital. Changes in law and technology are dramatically affecting the industries we regulate, opening the door to more competitors and enabling the establishment of more competitive markets.

The Commission also oversees rail and pipeline safety programs.

MISSION STATEMENT

The Idaho Public Utilities Commission serves the citizens and utilities of Idaho by determining fair, just and reasonable rates for utility commodities and services to be delivered safely, reliably, and efficiently, and by ensuring safe operation of pipelines and rail carriers within the state.

STRATEGIC PLAN

VISION: The Commission will initiate policies that stimulate excellence in the provision of utility services. These policies will reflect public input, changes in law, technology and market environments. The Commission envisions itself as a proactive, positive leader in the development of state policy.

ADMINISTRATION DIVISION

Program Goal:

The Administration Division is responsible for managing and coordinating the overall activities of the Idaho Public Utilities Commission (IPUC) efficiently and effectively. The Administration Division manages all information received, handled, or published by the IPUC; it informs the public of its actions and decisions; it provides fiscal, personnel, information technology, and administrative support services to the Commission as a whole; and it supports the Legislative and Executive branches with analysis and information on utility, pipeline and railroad matters.

Program Objective 1 - Manage and coordinate the overall activities of the Idaho Public Utilities Commission efficiently and effectively as well as facilitate the efficient management of cases being considered by the Commission.

Performance Indicators:

- Number of cases filed.

- Number of cases completed and closed.

- Number of orders issued.

Program Objective 2 - Make information about the IPUC's cases and activities easily accessible to the public by issuing notices and press releases on matters of public importance; by holding public workshops and hearings on formal cases in order to promote public awareness and understanding; and by continuing to expand and improve our home page as an important tool for providing access and information to the public.

Performance Indicators:

- Number of notices issued.

- Number of press releases issued.

- Number of workshops and formal public hearings held.

- Number of hits on our website.

Program Objective 3 - Represent the State of Idaho in federal proceedings involving utility issues.

UTILITIES DIVISION

Program Goal: Through audits, investigations and statistical comparisons, ensure that the citizens of Idaho are charged just and reasonable rates for utility commodities and services that are non-discriminatory and are delivered safely, reliably and efficiently.

Program Objective 1 - Assign, investigate, and process all applications and investigation requests received by the Commission.

Performance Indicators:

- Number of formal case applications filed with the Commission.
- Number of formal cases initiated by the Commission.
- Number of formal cases closed by the Commission.
- Number of informal tariff changes processed.
- Number of cases overturned by the Idaho Supreme Court.

Program Objective 2 - Monitor utility companies by performing routine audits, maintaining complaint statistics and initiating formal complaint investigations when appropriate in order to insure companies are providing safe, reliable service to their customers at reasonable rates and are complying with the Commission's consumer rules.

Performance Indicators:

- Number of audits completed.
- Number of formal complaint investigations initiated.
- Number of complaints/inquiries received by the Commission.

Program Objective 3 - Manage the transition from monopoly to competitive service provision with commensurate relaxation of regulation where it is determined that a true competitive environment exists, that consumers will benefit, and that the service will comply with existing state and federal laws, rules and regulations.

Program Objective 4 - Encourage expansion of utility services within the state to make access to these services available to all citizens of the state where economically feasible.

Performance Indicators:

- Number of applications received for new service area certificates or expansion of existing certificates.
- Number of complaints received regarding denial of service due to lack of infrastructure to provide service to the area.
- Number of orders issued authorizing service into previously unserved areas.
- Number of customers served compared with number from previous year.

Program Objective 5: Sponsor informal workshops, settlement conferences, and other types of facilitated discussions and collaborative processes designed to foster free and open discussion of issues, increase understanding, and build consensus.

Performance Indicators:

- Number of informal workshops and settlement conferences held (not related to formal cases).

Program Objective 6: Use non-litigation based strategies to resolve consumer complaints including arbitration, mediation, and conciliation.

Performance Indicators:

- Number of complaints resolved informally.

Program Objective 7: When necessary, promulgate and administer rules and regulations governing the fair, reasonable, safe and reliable provision of utility services; promulgate rules and regulations to address basic rights and obligations of utilities and their customers; review rules periodically to assure continued relevance and need; eliminate rules that are no longer necessary.

Program Objective 8: Monitor utility compliance with rules, regulations and tariffs to ensure they are applied without preference or discrimination to all customers and where appropriate, take action to enforce rules and regulations.

Program Objective 9: Investigate and resolve consumer complaints within an average of ten working days.

Performance Indicators:

- Number of informal complaints.
- Number of informal complaints investigated.

- Percentage of complaints where the Commission reversed or modified the company's actions.
- Average number of days to resolve complaints.
- Number of enforcement actions taken.
- Number of rulemaking proceedings.

PIPELINE SAFETY SECTION

Program Goal - Serve the citizens of Idaho by ensuring that all jurisdictional gas system operators operate safely through compliance with Federal and State Safety Regulations.

Program Objective 1 - Establish a Pipeline Safety Section within the Commission, recruit and train employees, and establish inspection goals.

Performance Indicators:

- Number of hours of training provided to employees.
- Number of on site visits to gas system operators' facilities.
- Number of inspections completed (once program is established).

RAIL SECTION

Program Goal - Serve the citizens of Idaho by ensuring that carriers comply with State and Federal safety regulations regarding crossings, clearances, and hazardous materials. The Commission will also determine whether or not it is in the public interest to represent the State in various rail line abandonment cases before the Surface Transportation Board.

Program Objective 1- Inspect rail crossings and clearances for compliance with rules and regulations based on complaints, accident investigations, and scheduled inspections.

Performance Indicators:

- Number of rail crossings and clearances inspected.
- Number of complaints investigated regarding railroad crossing maintenance deficiencies.

- Number of crossing maintenance deficiencies corrected.
- Number of railroad crossing inspections/accident investigations and evaluations.

Program Objective 2 - Ensure the safe transportation of hazardous materials by monitoring compliance with state and federal regulations by carriers and shippers; making educational contacts to assist railroads and shippers in understanding hazardous materials regulations; inspecting railroad equipment to ensure it is safe to transport hazardous materials; inspecting packaging of hazardous materials to ensure it meets federal requirements; reviewing records of railroads to determine if there are any hazardous material violations; and issuing citations or preparing cases for consent agreements when critical violations are found.

Performance Indicators:

- Number of rail hazmat inspections.
- Number of educational contacts.
- Number of rail hazmat violations found.

Program Objective 3 - If investigation and public hearing provides justification, represent the State of Idaho in rail line abandonments before the Surface Transportation Board and, if necessary, the appeals court.

Performance Indicators:

- Number of abandonments investigated.
- Number of cases brought before the Surface Transportation Board.

EXTERNAL FACTORS

Factors external to the Idaho Public Utilities Commission that are beyond its control and that could significantly affect the achievement of the general goals and objectives:

- The number of formal applications filed is outside the control of the Commission. General economic conditions, weather conditions, national policies, rules, regulations, and legislation (i.e. tax laws, deregulation, environmental protection) impose costs on utilities that impact the number of cases filed with the Commission.
- The technical and complex nature of the Commission's caseload makes it difficult for the general public to understand and participate in the process. This lack of understanding generates numerous complex and often difficult to resolve consumer complaints.
- National regulatory orders, policy, legislation, rules and regulations that impose deregulation of utility services upon state jurisdictions.
- An ongoing factor is the potential loss of personnel due to retirement and recruitment by the private sector. When attempting to fill vacant positions in the past, we have found that the existing state hiring process doesn't always provide qualified candidates in a timely manner and often discourages potentially well-qualified candidates from applying.
- As utility issues become more demanding and complex, budgetary constraints may limit the Commission's ability to obtain needed external expertise and consulting services.