



May 14, 2026

Sent Via Email

Imperial Irrigation District Board of Directors and General Manager

Division 1 - Alex Cardenas

Division 2 - JB Hamby, Vice Chairman

Division 3 - Gina Young Dockstader

Division 4 - Lewis Pacheco

Division 5 - Karin Eugenio, Chairwoman

Jamie L. Asbury, General Manager

RE: Imperial Irrigation District Large Load Tariff

Dear Board of Directors,

Leadership Counsel for Justice and Accountability (LCJA), submits the following comments in response to agenda item #3 in the Imperial Irrigation District Board Meeting agenda for May 15, 2026: Imperial Irrigation District Large Load Tariff.

We commend IID staff for developing the proposed large load tariff framework, which has the potential to protect existing residential ratepayers from bearing the costs associated with interconnecting large load customers. In reviewing the draft Large Load Tariff, we respectfully offer the following questions and recommendations for the District to consider as it revises and implements the final tariff:

We recommend decreasing the qualifying load factor from 85% to approximately 75-80%. It is unclear why 85% was selected as the minimum threshold when a 75-80% load factor is still considered a high load factor compared to the 40-60% typically seen among residential and commercial buildings such as offices and schools.

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We recommend that IID provide additional clarity and specificity regarding customer responsibility for infrastructure costs. The draft tariff states that the District and Customer will execute a Large Load Special Facilities Agreement specifying the costs and responsibilities associated with the construction and operation of infrastructure necessary to serve the customer. However, as currently drafted, the provision appears to leave room for negotiation on a case by case basis. To ensure existing ratepayers are fully protected from subsidizing infrastructure developed for large-load customers, we recommend the tariff explicitly state that the customer shall be responsible for paying the actual costs of all infrastructure, upgrades, interconnection improvements, and related system modifications required to serve the customer.

We recommend that IID provide additional clarification regarding how large load customer credits will be issued under the proposed tariff structure. The draft tariff indicates that, in the event a customer's contracted energy or capacity exceeds the customer's forecasted or actual consumption, IID may, at its sole discretion, sell the excess capacity or energy into the CAISO market and issue a credit toward the customer's subsequent Monthly Energy Charge or Demand Charge. However, other sections of the proposed tariff state that customers remain obligated to pay at least 85% of their contracted energy and demand charges. As currently drafted, it is unclear how these provisions interact, and whether the availability of credits effectively renders the 85% minimum payment obligation discretionary or offsettable.

Lastly, we recommend that IID clarify which entities qualify as "customers" subject to the proposed Large Load Tariff. For example, questions remain regarding whether independent utilities or energy providers utilizing IID transmission or distribution infrastructure to serve large developments would be subject to the tariff's requirements. Additional clarification regarding the applicability of the tariff to these types of entities would help ensure transparency and consistent implementation of the final rules.

Again, we commend IID's initiative and leadership in developing this framework to protect existing customers. As the proposed tariff continues to evolve, we urge the District to consider emerging best practices to ensure the protection of existing IID customers from cost shifting,

degradation of service reliability, and any other negative impacts as a result of large-load developments.

Thank you for your time and consideration. If you have any questions, please feel free to contact me at kotworth@leadershipcounsel.org.

Sincerely,

Krystal Otworth

Energy & Climate Senior Policy Advocate

Leadership Counsel for Justice & Accountability