

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF AVISTA CORPORATION DBA AVISTA)	CASE NO. AVU-E-19-04
UTILITIES FOR AUTHORITY TO)	
INCREASE ITS RATES AND CHARGES FOR)	
ELECTRIC SERVICE TO ELECTRIC)	ORDER NO. 34507
CUSTOMERS IN THE STATE OF IDAHO)	
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On June 10, 2019, Avista Corporation dba Avista Utilities (“Avista” or “Company”) applied for authority to increase its rates for electric service in Idaho.

The Commission issued a Notice of Application and granted intervention to the Community Action Partnership Association of Idaho, Inc. (“CAPAI”) and several other parties. *See* Order Nos. 34368, 34369, 34374 and 34384.

On October 15, 2019, the parties submitted a Stipulation and Settlement (“Settlement”) resolving all issues between them to the Commission for its review and approval. On October 28, 2019, the Company filed an amended Settlement that corrected minor errors in the original document. The Commission held public hearings and a technical hearing on the amended Settlement.

On November 29, 2019, after considering the record, the Commission issued Order No. 34499 approving the amended Settlement. On the same date, CAPAI timely filed a Petition for Intervenor Funding.

CAPAI’S PETITION FOR INTERVENOR FUNDING

CAPAI’s Petition for Intervenor Funding seeks an award of \$14,160.00. *See CAPAI’s Petition for Intervenor Funding* at 3.

CAPAI states it fully participated in every aspect of this proceeding and provided input and asserted issues not raised by Staff and other parties, including requesting an increase to Avista’s Low Income Weatherization Assistance program. *Petition* at 4. CAPAI claims that its position materially differed from that taken by Commission Staff. *Id.* For example, CAPAI asserts that it was the only party in the proceeding to advocate for the interests of low-income residential

customers. *Id.* CAPAI asserts the intervenor funding requested is reasonable based on the foregoing and the experience of its counsel. *Id.* at 3-6.

COMMISSION FINDINGS AND DISCUSSION

Intervenor funding is available under *Idaho Code* § 61-617A, which declares it is the “policy of [Idaho] to encourage participation at all stages of all proceedings before the commission so that all affected customers receive full and fair representation in those proceedings.” The statute empowers the Commission to order any regulated utility with intrastate annual revenues exceeding \$3.5 million to pay all or a portion of the costs of one or more parties for legal fees, witness fees and reproduction costs not to exceed a total for all intervening parties combined of \$40,000. *Id.* The Commission’s determination on an intervenor funding request shall be based on the following considerations:

- (a) The intervenor’s participation materially contributed to the Commission’s decision;
- (b) The costs of intervention are reasonable in amount and would be a significant financial hardship for the intervenor;
- (c) The intervenor’s recommendation differed materially from Commission’s Staff’s testimony and exhibits; and
- (d) The intervenor’s testimony and participation addressed issues of concern to the general body of users or consumers.

See Idaho Code § 61-617A(2). To obtain an intervenor funding award, an intervenor must comply with Commission Rules of Procedure 161 through 165. Rule 162 provides the form and content for the petition. IDAPA 31.01.01.162.

We find that CAPAI’s Petition satisfies the intervenor funding requirements. CAPAI intervened and participated in all aspects of the proceeding, with a focus on low-income customers. CAPAI’s Petition shows CAPAI worked closely with Avista and Staff throughout the case. CAPAI noted its role in the Company agreeing to increase funding to the Low Income Weatherization Assistance Program.

The Commission finds that CAPAI has materially contributed to the Commission’s decision. CAPAI’s recommendations materially differ from Staff’s recommendations, and CAPAI’s participation addressed issues of concern to the general body of customers. Finally, we

find the costs and fees incurred by CAPAI are reasonable in amount, and that CAPAI, as a non-profit organization, would suffer financial hardship if the request is not approved.

Accordingly, we find it reasonable to award CAPAI \$14,160.00 in intervenor funding, with the amount to be recovered from Avista's residential electric customers.

ORDER

IT IS HEREBY ORDERED that CAPAI's Petition for Intervenor Funding is granted in the amount of \$14,160.00 to be recovered from Avista's residential electric customers.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code § 61-626.*

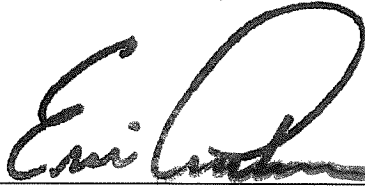
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this *16th* day of December 2019.



PAUL KJELLANDER, PRESIDENT

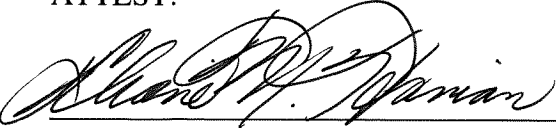


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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