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*Attorneys for Idaho Clean Energy Association, Inc.*

## BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER  
COMPANY'S APPLICATION FOR  
AUTHORITY TO ESTABLISH NEW  
SCHEDULES FOR RESIDENTIAL AND  
SMALL GENERAL SERVICE  
CUSTOMERS WITH ON-SITE  
GENERATION

**Case No. IPC-E-17-13**

**IDAHO CLEAN ENERGY ASSOCIATION,  
INC.'S REQUEST FOR INTERVENOR  
FUNDING**

Idaho Clean Energy Association, Inc. ("ICEA"), by and through its attorneys of record, Givens Pursley LLP, and pursuant to Idaho Code §61 617A and IDAPA 31.01.01.161 - 165, respectfully applies to the Idaho Public Utilities Commission ("Commission") for intervenor funding. This application is timely, as it is made within fourteen days of the date of the last evidentiary hearing in this matter, which was March 9, 2018.

### REQUEST FOR INTERVENOR FUNDING

1. **List of Expenses.** As required by Commission Rule 162.01, attached is an itemized list of expenses ICEA requests to recover, broken down into categories.
2. **Statement of Proposed Findings.** The recommendations that ICEA has proposed for the Commission to adopt are as follows:

- Reject the Company's proposal for a separate rate class and process the requested changes to Schedule 72 in a separate docket;
- Require that any further proceedings for changes to net metering be processed in accord with the following recommendations:
  - i. **Demonstrated Problem.** Evidence of a material problem should be demonstrated before proposing changes to net metering rate design.
  - ii. **Non-discriminatory.** Customers should be free to benefit from reduced consumption without discrimination.
  - iii. **No cart-before-horse.** Analysis giving fair weight to both costs and benefits should precede any changes to rate structure.
  - iv. **Referee.** We ask for the regulatory version of a referee to govern the process, which should include representation from stakeholders.
  - v. **No Surge & Slump.** Any docket proposing changes to net metering rates should not propose an effective date until after the potential approval of the filing. If a cut-off deadline is implemented, it should be based on the date a net metering application is postmarked. A net metering application deadline is commonly used to help decrease the surge and slump and other problems.
  - vi. **Don't rush it.** The process should allow time for thorough consideration of costs and benefits, potential repercussions, and stakeholder perspectives.

- vii. **Orderly transition.** Customers should be assured that for an extended period of time they would be able to remain on rates current at the time their net metering application is postmarked.
- viii. **SEIA principles.** ICEA urges the Commission to consider and adopt the Solar Energy Industries Association's ("SEIA") principles for the evolution of net energy metering and rate design, attached as Exhibit 807.
- ICEA also provided the following recommendations in rebuttal testimony, partly in light of Staff's recommendations:
  - ix. That the Commission deny the Company's proposal to establish two new rate classes, which are unnecessary and unjustified.
  - x. That the Commission establish guidance that power consumed by the customer at the time it is produced by the customer's own generation should not be included in a cost shift calculation.
  - xi. That a separate docket determine a robust methodology for valuing excess generation, that the analysis is performed by a neutral third party and governed by an objective "referee", and that the methodology covers the full range of benefits and avoided costs provided by distributed generation.
  - xii. That any changes to net metering rate policy should not go into effect until after the total nameplate capacity of net metering residential solar reaches a benchmark level of 60MW.
  - xiii. That when the installed capacity of net metering residential solar reaches the benchmark level, an appropriate value for distributed generation be

applied to excess generation on a monthly netted basis rather than an hourly netted basis.

- xiv. Regarding the method for compensating excess generation changes, that changes should be phased in separately and with clear, long-term visibility.
- xv. That, if the Commission were to approve changes to the methodology of compensating net metering customers for excess generation, the variables affecting those changes be available and visible to customers for two years before going into effect.
- xvi. That net metering customers be allowed to participate in Time of Day rates available for the company-supplied power they consume.
- xvii. That proposed changes to Schedule 72 be denied and that such changes be proposed in a separate docket only after the Company has evidence of a material problem and after the Company reviews any issues and potential solutions with ICEA and other relevant stakeholders.

3. **Statement Showing Reasonableness of Costs.** See the accompanying Affidavits of Preston N. Carter and Kevin King.

4. **Explanation of Cost Statement.** See the Affidavit of Kevin King, which explains why the costs described constitute a significant financial hardship for the intervenor.

5. **Statement of Difference.** ICEA presented the perspective of businesses involved in the renewable energy industry, a perspective unavailable to Staff. ICEA also presented the perspective of a financial analyst to demonstrate the impacts of the filing on evaluation of investments in rooftop solar installations, another perspective unavailable to Staff. ICEA's

testimony in these areas adds a new and important dimension to the case that would not have been presented otherwise.

6. **Statement of Recommendation.** ICEA's advocacy addressed issues of concern to present and future net metering customers and to businesses that provide service to net meter customers. This is evidenced, in part, by the significant public comment and testimony submitted by customers of, and by persons employed in, the renewable energy industry.

7. **Statement Showing Class of Customers.** Present and future net meter customers affected by the proceeding are members of the residential and small commercial classes. ICEA intervenor appeared on their behalf, as well as on behalf of members of the clean energy industry more generally.

ICEA respectfully requests that this request be granted. ICEA has requested, for purposes of intervenor funding, less than the total amount of expenses incurred to reflect the overall limits on intervenor funding.

ICEA would like to emphasize the expense of participating in these proceedings, particularly only 5 years after the 2012-2013 proceeding. A single consultant of Idaho Power, who filed only rebuttal testimony, had a budget of \$100,000 and a rate of \$550/hour. This does not include Idaho Power's legal expenses. ICEA cannot muster even close to this amount of financial resources, yet must participate in these proceedings to advocate for its former and current customers and its members.

In addition, the Company's choice to propose a new rate class now and a separate proceeding for rate changes in the future places a financial burden on ICEA to fund representation not only in this proceeding, but also for the second proceeding if the Commission grants Idaho Power's request.

ICEA respectfully requests that the Commission take these facts into account while considering the requests for intervenor funding.

Dated: March 23, 2018

GIVENS PURSLEY LLP



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Preston N. Carter  
Givens Pursley LLP  
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## CERTIFICATE OF SERVICE

I certify that on March 23, 2018, a true and correct copy of IDAHO CLEAN ENERGY ASSOCIATION'S REQUEST FOR INTERVENOR FUNDING was served upon all parties of record in this proceeding via the manner indicated below:

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