



ECHO HAWK & OLSEN

MARK A. ECHO HAWK
ERIC L. OLSEN
JOSEPH T. PRESTON
ATTORNEYS

505 PERSHING AVE., STE. 100
PO BOX 6119
POCATELLO, ID 83205-6119
208.478.1624
208.478-1670 FAX
WWW.ECHOHAWK.COM

December 12, 2019

Idaho Public Utilities Commission
Office of the Secretary
RECEIVED

DEC 12 2019

Boise, Idaho

Diane Hanian, Commission Secretary
Idaho Public Utilities Commission
11331 W. Chinden Blvd.
Building 8, Suite 201-A
Boise, ID 83714
diane.holt@puc.idaho.gov

Re: CASE No.: IPC-E-18-15
RE: APPLICATION FOR INTERVENOR FUNDING

Dear Ms. Hanian:

Enclosed you will find the original and seven (7) copies of the following:

1. Application for Intervenor Funding

Electronic copies have been served per the Certificate of Service.

Please file the Application in the case file. If you have any questions, please don't hesitate to call. Thank you.

Sincerely,

Eric L. Olsen

ELO/tf
Enclosures

H:\WDOX\CLIENTS\1343\0025\00094766.DOCX

Eric L. Olsen (ISB# 4811)
ECHO HAWK & OLSEN, PLLC
505 Pershing Ave., Ste. 100
P.O. Box 6119
Pocatello, Idaho 83205
Telephone: (208) 478-1624
Facsimile: (208) 478-1670
Email: elo@echohawk.com

Idaho Public Utilities Commission
Office of the Secretary
RECEIVED

DEC 12 2019

Boise, Idaho

Attorney for Intervenor Idaho Irrigation Pumpers Association, Inc.

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IDAHO POWER
COMPANY'S APPLICATION TO STUDY
THE COSTS, BENEFITS, AND
COMPENSATION OF NET EXCESS
ENERGY SUPPLIED BY CUSTOMER ON-
SITE GENERATION**

CASE NO. IPC-E-18-15

**APPLICATION FOR INTERVENOR
FUNDING OF THE IDAHO
IRRIGATION PUMPERS
ASSOCIATION, INC.**

COMES NOW the Idaho Irrigation Pumpers Association, Inc. ("Irrigators"), by and through counsel of record, Echo Hawk & Olsen, PLLC, and hereby respectfully makes application to the Idaho Public Utilities Commission ("Commission") for intervenor funding, pursuant to Idaho Code § 61-617A and IDAPA §§ 31.01.01.161 through .165, in this case, as follows:

(A) A summary of the expenses that the Irrigators request to recover broken down into legal fees, witness fees and other costs and expenses is set forth in Exhibit A attached hereto and incorporated by reference.

(B) The Irrigators' Counsel, Eric L. Olsen of Echo Hawk & Olsen ("Mr. Olsen"), and Irrigators' witness, Anthony J. Yankel of Yankel and Associates, Inc. ("Mr. Yankel"), fully participated in these proceedings. Mr. Olsen and Mr. Yankel prepared and served written discovery, reviewed and analyzed the various parties' positions, and attended and participated via conference call or in person in the numerous workshops and settlement conferences held in

this matter. The Irrigators filed comments supporting the Stipulation and Settlement Agreement filed in this case and filed comments on the appropriate treatment of existing on-site generation customers.

(C) The Irrigators' proposed findings and recommendations are encapsulated in the Stipulation and Settlement Agreement and in its supporting comments. One key issue for the Irrigators was making sure that an appropriate price was set for the for the excess distributed generation put back on Idaho Power's system ("Excess DG"). If Excess DG is priced too high, then other non-onsite generation customers are paying too much for energy and Idaho Power has difficulties managing this intermittent resource. If Excess DG is priced too low, then important renewable resources such as solar are not appropriately developed so as to appropriately lower overall system costs. The Irrigators believe that the Settlement strikes an appropriate balance on current pricing of Excess DG and provides an appropriate methodology in addressing these pricing issues in the future.

(D) The expenses and costs incurred by the Irrigators set forth in Exhibit A are reasonable in amount and were necessarily incurred. The expenses and costs were incurred in participating in the numerous workshops and settlement conferences, in the drafting and review discovery responses, and in commenting on the Settlement Agreement and commenting on the appropriate treatment of existing on-site generation customers. Without incurring these expenses and costs, the Irrigators would not have been able to fully participate in this matter.

(E) The costs described in Paragraph (A) above constitute a financial hardship for the Irrigators. The Irrigators are an Idaho nonprofit corporation qualified under I.R.C. § 501(c)(5) representing farm interests in electric utility rate matters affecting farmers in southern and central Idaho. The Irrigators rely solely upon dues and contributions voluntarily paid by members,

together with intervenor funding, to support its activities. Each year mailings are sent to approximately 7,000 Idaho Irrigators (approximately two-thirds in the Idaho Power Company service area), soliciting annual dues. The Irrigators recommend members make voluntary contributions based on acres irrigated or horsepower per pump. Member contributions have been falling which is believed to be attributable to increased operating costs and declining commodity prices.

From member contributions the Irrigators must pay all expenses, which generally include mailing expenses, meeting expenses and shared office space in Boise, Idaho, in addition to the expenses relating to participation in matters before the Commission. The Executive Director, Lynn Tominaga, is the only part-time paid contractor, receiving a retainer plus expenses for office space, office equipment, and secretarial services. Other Irrigator officers and directors are elected annually and serve without compensation.

It has been and continues to be a financial hardship for the Irrigators to fully participate in important cases such as this one due to the time and expense that must be incurred to fully participate in such a case. Because of the Irrigators' financial constraints, participation in this case, and filing of testimony and cross-examination of witnesses has been prudent.

(F) The Irrigators' position urged to be adopted by in the settlement discussions materially differs from those addressed by the Commission Staff and other parties. The Irrigators urged that the price for Excess DG should rely most heavily market prices paid for solar projects, such as Jackpot Solar and less on avoided cost methodologies.

(G) The Irrigators' participation addressed issues of concern to the general body of users or consumers on IPC's system. If Excess DG is priced too high, then other customer

classes are paying too much for their energy and their rates would not be fair, just and reasonable.

(H) The Irrigators represent the irrigation class of customers under Schedule 24 on IPC's system.

Based on the foregoing, it is respectfully submitted that the Irrigators are a qualifying intervenor and should be entitled to an award of costs of intervention in the maximum amount allowable pursuant to Idaho Code § 61-617A and IDAPA §§ 31.01.01.161 through .165.

DATED this 12th day of December, 2019.

ECHO HAWK & OLSEN, PLLC

By: 

ERIC L. OLSEN Attorney for
Idaho Irrigation Pumpers Association, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of December 2019, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Diane M. Hanian, Secretary
Idaho Public Utilities Commission
P.O. Box 83720
11331 W. Chinden Blvd.
Building 8, Suite 201-A
Boise, ID 83714
diane.holt@puc.idaho.gov

☐ U.S. Mail
☐ Hand Delivered
☒ Overnight Mail
☐ Telecopy (Fax)
☒ Electronic Mail (Email)

Lisa D. Nordstrom
Regulatory Dockets
Attorney for Idaho Power Company
P.O. Box 70
Boise, ID 83707
lnordstrom@idahopower.com
dockets@idahopower.com

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)
☒ Electronic Mail (Email)

Tim Tatum
V.P. of Regulatory Affairs
Idaho Power Company
P.O. Box 70
Boise, ID 83707
ttatum@idahopower.com

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)
☒ Electronic Mail (Email)

Anthony Yankel
Idaho Irrigation Pumpers Association, Inc.
12700 Lake Avenue, Unit 2505
Lakewood, OH 44107
tony@yankel.net

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)
☒ Electronic Mail (Email)

Abigail R. Germaine
Deputy City Attorney
Boise City Attorney's Office
150 N. Capitol Blvd.
P.O. Box 500
Boise, Idaho 83701 -0500
agermaine@cityofboise.org

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)
☒ Electronic Mail (Email)

Preston N. Carter
Givens Pursley LLP
601 West Bannock Street
Boise, Idaho 83702
prestoncarter@givenspursley.com
kendrah@givenspursley.com

- ☐ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Telecopy (Fax)
- ☒ Electronic Mail (Email)

Benjamin J. Otto
Idaho Conservation League
710 N. 6th St.
Boise, Idaho 83702
botto@idahoconservation.org

- ☐ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Telecopy (Fax)
- ☒ Electronic Mail (Email)

Russell Schiermeier
29393 Davis Road
Bruneau, Idaho 83604
buyhay@gmail.com

- ☐ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Telecopy (Fax)
- ☒ Electronic Mail (Email)

Zack Waterman and Mike Heckler
Idaho Sierra Club
503 W Franklin St.
Boise, Idaho 83702
zack.waterman@sierraclub.org
michael.p.heckler@gmail.com

- ☐ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Telecopy (Fax)
- ☒ Electronic Mail (Email)

Kelsey Jae Nunez
Kelsey Jae Nunez LLC
920 N Clover Dr.
Boise, Idaho 83703
kelsey@kelseyjaenunez.com

- ☐ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Telecopy (Fax)
- ☒ Electronic Mail (Email)

C Tom Arkoosh
Arkoosh Law Offices
Po Box 2900
Boise, ID 83701
tom.arkoosh@arkoosh.com
erin.cecil@arkoosh.com

- ☐ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Telecopy (Fax)
- ☒ Electronic Mail (Email)

Ted Weston
Rocky Mountain Power
1407 WN Temple Ste 330
Salt Lake City, UT 84116
ted.weston@pacificorp.com

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)
☒ Electronic Mail (Email)

Yvonne R Hogle
Rocky Mountain Power
1407 WN Temple Ste 320
Salt Lake City, UT 84116
Yvonne.hogle@pacificorp.com

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)
☒ Electronic Mail (Email)

Briana Kobor
Vote Solar
358 S 700 E Ste B206
Salt Lake City, UT 84102
briana@votesolar.org

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)
☒ Electronic Mail (Email)

David Bender
Earthjustice
3916 Nakoma Rd
Madison, WI 53711
dbender@earthjustice.org

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)
☒ Electronic Mail (Email)

F Diego Rivas
NW Energy Coalition
1101 8th Ave
Helena, MT 59601
diego@nwenergy.org

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)
☒ Electronic Mail (Email)

Austin Reschhoff
Thorvald A Nelson
Holland & Hart LLP
555 7th St Ste 3200
Denver, CO 80202
darueschhoff@hollandhart.com
tnelson@hollandhart.com

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)
☒ Electronic Mail (Email)

Jim Swier
Micron Technology Inc
8000 S Federal Way
Boise, ID 83707
jswier@micron.com

- ☐ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Telecopy (Fax)
- ☒ Electronic Mail (Email)

Dr. Don Reading
6070 Hill Road
Boise, ID 83703
dreading@mindspring.com

- ☐ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Telecopy (Fax)
- ☒ Electronic Mail (Email)

Peter J Richardson
Richardson Adams PLLC
515 N 27th Street
PO Box 7218
Boise, ID 83702
peter@richardsonadams.com

- ☐ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Telecopy (Fax)
- ☒ Electronic Mail (Email)

Electronic Service Only
dockets@idahopower.com

- ☐ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Telecopy (Fax)
- ☒ Electronic Mail (Email)

Electronic Service Only
Al Luna
aluna@earthjustice.org

- ☐ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Telecopy (Fax)
- ☒ Electronic Mail (Email)

Nick Thorpe
nthorpe@earthjustice.org



Eric L. Olsen
Echo Hawk & Olsen

EXHIBIT A

Expert Witness Expenses:

1. Witness Fees of Anthony Yankel:
265 Hours @ \$200 = \$53,000.00
2. Travel Expenses: \$7,210.63

Legal Expenses:

1. Paralegal Fees: 3 Hours @ \$90 = \$270.00
2. Legal Fees Eric L. Olsen: 105.7 Hours @ \$200 = \$21,140.00
3. Travel Expenses & Costs: \$826.61