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IDAHO PUBLIC
UTILITIES COMMISSION

Attorney for the Idaho Conservation League

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE)	
PETITION OF IDAHO POWER)	CASE NO. IPC-E-18-16
COMPANY TO STUDY FIXED)	
COSTS OF PROVIDING ELECTRIC)	IDAHO CONSERVATION LEAGUE
SERVICE TO CUSTOMERS)	APPLICATION FOR INTERVENOR
)	FUNDING
)	

COMES NOW, the Idaho Conservation League (“ICL”), pursuant to Idaho Code § 61-617A and IDAPA 31.01.01.161–165 with the following application for intervenor funding. ICL is an intervenor pursuant to Order No. 34193. This Application is timely pursuant IDAPA 31.01.01.164 that allows Intervenors to petition for funding 14 days after the deadline for submitting “briefs. . . or statements of position”. The Commission established January 21, 2020 as the deadline for filing comments in this modified procedure docket. ICL filed comments on that date. The Commission has previously ruled, in Order 32537, that Intervenors may petition for funding and receive awards for all work done in modified procedure dockets that involved settlement meetings and filing written comments but not evidentiary hearings.

I. Idaho Code § 61-617A and IDAPA Rule 31.01.01.161 Requirement

The Commission based on numerous filings and public reports can take official notice that Idaho Power Company is a regulated electric utility with gross Idaho intrastate, annual

revenues exceeding three million, five hundred thousand dollars (\$3,500,000.00).

II. Idaho Code § 61-617A(2) and IDAPA Rule 31.01.01.162 Requirements

1. Itemized list of Expenses

The attached Exhibit A is an itemized list of expenses incurred by ICL this proceeding. Idaho Code empowers the Commission to award “legal fees, witness fees, and reproduction costs”. I.C. § 61-617A. As listed in more detail in Exhibit A, ICL gained status as a party to the case, participated in several day-long negotiation sessions including working with our expert advisors to provide detailed presentations and proposals to the parties, submitted and reviewed production requests, reviewed Idaho Powers extensive report filed with the Commission, and submitted comments on said report. ICL sees recovery of only ICL council’s time in this docket. Our expert advisors Mr. Rivas of NW Energy Coalition and Ms. Kobor of Vote Solar along with co-council Mr. Bender of Earthjustice are generously donating their substantial time and expenses to this Idaho docket. In all of these efforts ICL focused on issues directly relevant to the issues covered by this docket and sought to use our time and the time and resources of the other parties in the most efficient manner possible. *IDAPA 31.01.01.162.01.*

2. Statement of Proposed Findings

This docket consisted of six conferences to define the process and substance of an Idaho Power produced report on the fixed costs of providing electric service. ICL and our advisor Ms Kobor actively engaged in these meetings including preparing materials and presentations to the other participants. Following Idaho Power’s submission of their report on the topic, ICL and our advisors reviewed the extensive report and prepared comments to assist the Commission deliberations. As reflected in our filed comments, we recommend the Commission deny Idaho

Power's motion to accept the report because it does not meet the standards and expectations the Commission set forth in Order No. 34190. Further we propose the Commission order the Idaho PUC Staff to conduct further investigations into the issue of the fixed costs to provide electric service. *IDAPA 31.01.01.162.02.*

3. Statement Showing Costs

ICL requests \$6,400 in intervenor funding, as shown in Exhibit A. Both the hourly rate and hours expended are reasonable for this complex case. ICL's council has ten years of direct, specialized experience appearing before the Idaho PUC, including extensive work on fixed cost issue through rate case and the Fixed Cost Adjustment mechanism. The hourly rate of \$200 reflects this experience and the local market conditions. The hours claimed are but a fraction of the total time ICL, our expert advisors, and our co-council expended in this case. We elect to seek recovery of only that time spent directly engaged with parties or filings to the Commission, although the time spent preparing for these tasks is appropriately recoverable. For the reasons above – seeking only a portion of our time spent, collaboratively working towards solutions, and an hourly rate that reflects the market – we recommend the Commission find ICL's requested costs "reasonable in amount". *IDAPA 31.01.01.162.03.*

4. Explanation of Cost Statement

ICL is a nonprofit organization supported solely through charitable donations from our members and supporters. ICL does not have any financial interest in the outcome of the proceeding that is distinct from any Idaho Power customer. In this proceeding, we represent our members and supporters who are ratepayers of Idaho Power, as well as any Idahoan interested in ensuring just, fair, and reasonable rates for electric service. While ICL budgets annually for our

programs and costs, we are subject to the timing and pace of utility filings, something we do not control. For this specific docket, the Commission ordered Idaho Power to initiate the process and ICL was thus compelled to shift our priorities and budgets to engage in this important issue. Access to intervenor funding is necessary to ensure our ongoing ability to secure “full and fair representation” before the Commission as contemplated by Idaho Code § 61-617A.

Idaho PUC Rules of Procedure requires that a licensed attorney represent organizations. *IDAPA 31.01.01.043*. ICL retains a licensed attorney on staff dedicated entirely to issues that arise under Idaho’s public utilities laws. ICL dedicates this full-time, highly trained staff member to provide consistent, professional, and impactful advocacy for our members and supporters. The cost of employing and training this staff member is a significant financial commitment for a charitable organization. Further, ICL’s annual planning allocates this staff member’s time and resources to efforts expected to occur that can impact our program goals. Access to intervenor funding is important to ICL’s ability to represent our interests here while maintaining the ability meet other organizational goals and priorities we have promised to our supporters.

ICL consistent involvement in these issues had a meaningful impact in controlling our costs here. As explained here and listed in Exhibit A, ICL’s costs are reasonable and incurring these costs created an ongoing hardship to reallocate our limited budget to achieve our goals. *IDAPA 31.01.01.162.04*. By awarding cost recovery here, the Commission will “encourage participation in all stages of all proceedings before the commission so that all affected customers receive full and fair representation in those proceedings.” *I.C. § 61-617A*.

5. Statement of Difference

ICL and Vote Solar provided unique contributions to the workshops that preceded Idaho

power's report. While the content of those meeting is confidential, in general ICL was distinct from the Staff position regarding the scope, format, and contents of Idaho Power's report. Comparing our comments with the Staff comments, we proposed the Commission order Staff to conduct any further proceedings, while the Staff proposed allowing Idaho Power to address the flaws in the Companies report. *IDAPA 31.01.01.162.05.*

6. Statement of Recommendation

ICL proposed findings address issues of concern for all customers, regardless of class, who deserve fair, just, and reasonable rates for electric service. ICL pursued this common interest when advocating for a complete and comprehensive report on fixed costs. Our advocacy and position here is not on behalf of any individual or subset of customers, rather on behalf of all similarly situated people whether they are a member, agnostic to ICL, or in some instances oppose our mission. *IDAPA 31.01.01.162.06.*

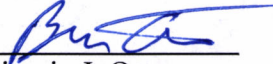
7. Statement Showing Class of Customer

Our individual members and supporters who are customers of Idaho Power are in the residential class. ICL's Boise office is a Schedule 9 customer, while our Ketchum office is a Schedule 7 customer. *IDAPA 31.01.01.162.07.*

WHEREFORE, ICL respectfully requests the Commission grant this application.

DATED this 3rd day of February 2020.

Respectfully submitted,



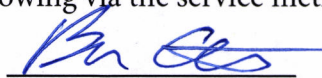
Benjamin J. Otto
Idaho Conservation League

Exhibit A
Cost Statement for Idaho Conservation League

Investigate Idaho Power's Application and prepare and file Petition to Intervene	1.5
Participate in one pre-meeting and five settlement negotiations	22.5
Prepare and submit Comments on Staff questions to parties in preparation for the second settlement conference	2.5
Review Idaho Power Report	3.5
Prepare and file Comments on Idaho Power Report	2
	Hours: 32 Rate: \$200/hr Total: \$6,400

CERTIFICATE OF SERVICE

I certify that on the 3rd day of February 2020, I delivered true and correct copies of the foregoing APPLICATION FOR INTERVENOR FUNDING to the following via the service method noted:



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Hand Delivery Mail:

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