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February 4, 2020

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

RECEIVED
2020 FEB - 4 PM 4:24
IDAHO PUBLIC
UTILITIES COMMISSION

**Re: CASE No.: IPC-E-18-16
APPLICATION FOR INTERVENOR FUNDING OF THE IDAHO
IRRIGATION PUMPERS ASSOCIATION, INC.**

Dear Ms. Hanian:

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

1. Application for Intervenor Funding of the Idaho Irrigation Pumpers Association, Inc.

Electronic copies have been served per the Certificate of Service.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric L. Olsen". The signature is fluid and cursive, written over a light blue grid background.

Eric L. Olsen

ELO/tf
Enclosures
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IDAHO PUBLIC UTILITIES COMMISSION

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Attorney for Intervenor Idaho Irrigation Pumpers Association, Inc.

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IDAHO POWER
COMPANY'S PETITION TO STUDY
FIXED COSTS OF PROVIDING
ELECTRIC SERVICE TO CUSTOMERS**

CASE NO. IPC-E-18-16

**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 made redline comments to the draft Fixed Cost Report and reviewed those with Idaho Power Company ("IPC") and the parties. The Irrigators provided comments on the final Fixed Cost Report that IPC filed with the Commission.

(C) The Irrigators' proposed findings and recommendations are encapsulated in the positions taken at the settlement meetings and its comments filed with the Commission. One key issue for the Irrigators was recognition by IPC of the unique features of Irrigator electricity usage, i.e., in-season/high demand and out of season low demand. Parties in this case tried to argue that higher demand charges would promote customers to conserve and use electricity more efficiently, i.e., they would have a higher load factor. This may work for other customer groups, but not for the Irrigators as explained in the Irrigator's comments on the final Fixed Cost Report.

(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 of discovery responses, and in preparing comments on the final Fixed Cost Report. 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 pointed out that while the final Fixed Cost Report seeks to address perceived inequities in how fixed costs are recovered, it fails to flush out why this goal should be pursued and substantiate why IPC's proposed cost structure changes are any better than the status quo.


(G) The Irrigators' participation addressed issues of concern to the general body of users or consumers on IPC's system. All customer classes want to have improved fairness in the way the IPC assigns fixed charges (demand and customer) so that all customer classes pay their fair, just and reasonable share of system costs.

(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 4th day of February, 2020.

ECHO HAWK & OLSEN, PLLC

By: 

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

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of February 2020, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

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Eric L. Olsen
Echo Hawk & Olsen

EXHIBIT A

Expert Witness Expenses:

1. Witness Fees of Anthony Yankel:
136 Hours @ \$200 = \$27,200.00
2. Travel Expenses: \$2,485.50

Legal Expenses:

1. Paralegal Fees: 3.4 Hours @ \$90 = \$306.00
2. Legal Fees Eric L. Olsen: 37.4 Hours @ \$200 = \$7,480.00
3. Travel Expenses & Costs: \$749.95