

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF

FROM: MATT HUNTER
DEPUTY ATTORNEY GENERAL

DATE: MAY 6, 2021

SUBJECT: IN THE MATTER OF IDAHO POWER COMPANY'S APPLICATION FOR
A DETERMINATION OF 2020 DEMAND-SIDE MANAGEMENT
EXPENSES AS PRUDENTLY INCURRED; CASE NO. IPC-E-21-04.

On April 6, 2021, the Commission set an April 27, 2021 intervention deadline for this case. Order No. 34986. The city of Boise City ("Boise City") filed a petition to intervene after the intervention deadline ran. Boise City filed its late petition on April 29, 2021. The issue before the Commission is whether to grant the late petition.

RULES GOVERNING LATE PETITIONS TO INTERVENE

Commission Rules provide that a petitioner seeking intervention must state its "direct and substantial interest . . . in the proceeding." IDAPA 31.01.01.072. Petitions to intervene that are not timely filed "must state a substantial reason for delay." IDAPA 31.01.01.073. "The Commission may deny or conditionally grant petitions to intervene that are not timely filed for failure to state good cause for untimely filing to prevent disruption, prejudice to existing parties, or undue broadening of the issues, or for other reasons." *Id.* Also, "Intervenors who do not file timely petitions are bound by orders and notices earlier entered as a condition of granting the untimely petition." *Id.*

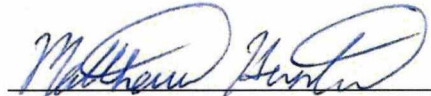
BOISE CITY'S PETITION

Boise City states it has a direct and substantial interest in this proceeding because it represents the public interest of the Applicant's customers in its constituency. "Boise City has established aggressive energy goals, including increasing customer participation in demand side management and energy efficiency programs, as part of Boise City's community-wide aspiration of 100% clean electricity by 2035." Petition at 2. To meet its goals, Boise City asserts it is critical that demand side management programs are "prudent, innovative, and abundant...." *Id.*

Boise City states that granting its Petition will not delay or disrupt the proceeding, unduly broaden the issues, or prejudice any party in the proceeding. Boise City explains that its petition to intervene was late because of “staff attrition, transitions in position roles and responsibilities, and onboarding of new members.” Petition at 4.

COMMISSION DECISION

Does the Commission wish to grant Boise City’s late petition to intervene?



Matt Hunter
Deputy Attorney General

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