

DECISION MEMORANDUM

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

FROM: ERICK SHANER
DEPUTY ATTORNEY GENERAL

DATE: AUGUST 27, 2021

SUBJECT: IN THE MATTER OF IDAHO POWER COMPANY'S APPLICATION TO INITIATE A MULTI-PHASE COLLABORATIVE PROCESS FOR THE STUDY OF COSTS, BENEFITS, AND COMPENSATION OF NET EXCESS ENERGY ASSOCIATED WITH CUSTOMER ON-SITE GENERATION; CASE NO. IPC-E-21-21.

On July 27, 2021, the Commission set an August 17, 2021 intervention deadline for this case. Order No. 35121. On August 18, 2021, ABC Power Co. LLC, Comet Energy LLC, and Richard E. Kluckhohn and Wesley A. Kluckhohn, filed petitions to intervene. On August 19, 2021, Idahome Solar LLC, filed a petition to intervene. These petitions were filed after the intervention deadline ran. The issue before the Commission is whether to grant these late petitions.

RULES GOVERNING LATE PETITIONS TO INTERVENE

Commission Rules provide that 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.*

PETITIONS

None of the late petitions for intervention referenced above addressed or stated any reason for their late filings.

COMMISSION DECISION

Does the Commission wish to grant the late petitions for intervention for ABC Power Co. LLC, Comet Energy LLC, Richard E. Kluckhohn and Wesley A. Kluckhohn, and Idahohome Solar LLC?



Erick Shaner
Deputy Attorney General

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