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Attorney for Clean Energy Opportunities for Idaho

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO)	
POWER COMPANY’S)	
APPLICATION FOR AUTHORITY)	CASE NO. IPC-E-23-11
TO INCREASE ITS RATES AND)	
CHARGES FOR ELECTRIC)	CLEAN ENERGY OPPORTUNITIES
SERVICE IN THE STATE OF)	FOR IDAHO’S PETITION FOR
IDAHO AND FOR ASSOCIATED)	INTERVENOR FUNDING
REGULATORY ACCOUNT)	
TREATMENT)	

COMES NOW Clean Energy Opportunities for Idaho (“CEO”), by and through its attorney of record, Kelsey Jae of the firm Kelsey Jae LLC, pursuant to Idaho Code § 61-617A and IDAPA 31.01.01.161-165 with the following request for intervenor funding. CEO is an intervenor in this case pursuant to Order No. 35823. This request is timely under Rule 164 because this request is filed within 14 days of the conclusion of the Technical Hearing on November 29, 2023.

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

Idaho Power Company (“Idaho Power” or the “Company”) is a regulated public utility that has gross Idaho intrastate annual revenues exceeding \$3,500,000.00.

II. IDAPA Rule 31.01 .01.162 requirements

A. Itemized list of expenses

Idaho Code provides that the Commission may award “legal fees, witness fees, and reproduction costs” to intervenors in a proceeding. Idaho Code § 61-617A. The attached Exhibit A is an itemized list of legal fees incurred by CEO’s legal counsel assisting CEO with investigating and responding to Idaho Power’s Application; analyzing and conducting discovery; preparing analyses, presentations, and proposals for review by other parties; meaningfully participating in several meetings and negotiation sessions; supporting the development of the settlement stipulation; and filing of final comments. CEO focused its participation and input on facts and issues that are directly relevant to this docket.

B. Statement of proposed findings

CEO intervened and actively participated in this docket to ensure that a reasonable analysis of the costs incurred to provide service benefits to Idaho Power customers would be used to inform rate design issues, including as they affect customer owned, on-site renewable energy generation. Compromises were made during the settlement negotiation process. CEO’s support for the settlement was premised, in part, upon provisions within section 13 of the Settlement and Stipulation filed by the Company and the other parties to this proceeding on October 27, 2023 (“Stipulation”) titled “Separate Informal Proceedings”. CEO signed the Stipulation and requests that the proposed settlement agreement be approved in its entirety.

CEO also asks the Commission to grant this request for intervenor funding.

C. Statement showing costs

CEO requests **\$3,596.40** in intervenor funding for attorney fees, as shown in Exhibit A. These fees were incurred reasonably and appropriately. This case covered complex and technical issues and required reviewing and responding to extensive analyses and/or proposals of the Company, Commission Staff, and other active parties and community members. To uncover and understand the facts, CEO reviewed multiple data sets; reviewed discovery requests and submitted its own discovery requests; and engaged in lengthy analytic efforts with other parties. CEO and its legal counsel were active participants in all stages of the proceeding. For each of these efforts, CEO endeavored to be efficient with time and delegation of tasks. CEO maintained clear divisions of labor to reduce expenses. This request does not include hours invested by CEO officers, Michael Heckler and Courtney White. CEO requests an hourly rate for legal counsel of \$222 per hour. For all these reasons, CEO's request for intervenor funding to pay the costs of the listed attorney is reasonable.

D. Explanation of cost statement

CEO is a nonprofit organization. In this proceeding, CEO represented its members and supporters who are Idaho Power ratepayers. To provide consistent, professional, and impactful advocacy for its members and supporters, CEO dedicates significant staff time to energy issues and specifically to policy making at the Commission. CEO has actively participated in prior proceedings on related matters. CEO does not have any financial interest in the outcome of this proceeding.

The cost of this time and hiring legal counsel is a significant financial commitment and hardship for a nonprofit organization. Because contributions to CEO are inherently unstable and

sometimes insufficient, the availability of intervenor funding is essential for CEO to participate fully in these proceedings. CEO has no pecuniary interest in the outcome of this case; rather CEO dedicated its time and resources to represent the interests of its supporters.

E. Statement of difference

Throughout this docket, CEO presented analysis and methodologies related to cost of service and related implications for Time of Use pricing that resulted in different positions and different information than what was presented by other parties and Commission staff. CEO, at times, diverged greatly from Staff's proposals. While the settlement negotiations were confidential so specific details are not proper to discuss, in general, CEO differed from Staff on matters related to the use of cost of service information aggregated throughout the test year at an hourly level rather than the "one-observation-per-month" sampling inherent in traditional "12CP" based analyses. CEO supported the Stipulation as part of a compromise and commitment to further analysis, but the results of the negotiation process do not negate the differences that existed and continue to exist.

F. Statement of recommendation

CEO's recommendations focused on matters relating to rate designs that will incentivize customer actions to affect affordability for all customers.

G. Statement showing class of customer

CEO's members and supporters are irrigation, residential, and small commercial customers of Idaho Power.

Based on the foregoing reasons, CEO respectfully requests that the Commission grant this Petition for Intervenor Funding in the amount of **\$3596.40** as illustrated in Exhibit A.

DATED this 12th day of December, 2023.

Respectfully submitted,

A handwritten signature in blue ink that reads "Kelsey Jae".

Kelsey Jae
Attorney for CEO

Exhibit A: Statement of Costs

Exhibit A: Statement of Costs
For attorney fees incurred by Kelsey Jae LLC

Analyzing Idaho Power's application and direct testimonies; conducting relevant legal research; analyzing discovery requests and responses of other parties; drafting CEO discovery; crafting response strategies, including comment/testimony/settlement strategies and filings; participating in settlement conferences	16.2 hours @ \$222/hr
Total	16.2 hours
	\$3596.40

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of December, 2023. I delivered true and correct copies of the foregoing PETITION FOR INTERVENOR FUNDING to the following persons via the method of service noted:

Electronic Mail Delivery

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Attorney for CEO