

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION ) CASE NO. IPC-E-24-07**  
**OF IDAHO POWER COMPANY TO )**  
**INCREASE RATES FOR ELECTRIC )**  
**SERVICE TO RECOVER COSTS ) ORDER NO. 36316**  
**ASSOCIATED WITH INCREMENTAL )**  
**CAPITAL INVESTMENTS AND CERTAIN )**  
**ONGOING OPERATIONS AND )**  
**MAINTENANCE EXPENSES )**  
**)**

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On May 31, 2024, Idaho Power Company (“Company”) filed an application (“Application”) with the Idaho Public Utilities Commission (“Commission”) requesting an order approving a revision to the Company’s schedules of rates for electric service in the state of Idaho. The Company requests an increase in annual Idaho jurisdictional revenue of \$99,293,220. The Company proposed an effective date of July 1, 2024, with the understanding that the Commission would likely suspend the proposed effective date. The Company’s Application is structured around an anticipated effective date of January 1, 2025.

On June 21, 2024, the Commission issued a Notice of Application, Notice of Suspension of Proposed Effective Date, and Notice of Intervention Deadline. Order No. 36238. The intervention deadline was set for July 12, 2024. The Commission granted intervention to: Idaho Irrigation Pumpers Association, Inc.; Industrial Customers of Idaho Power; Micron Technology, Inc.; the city of Boise City; The United States Department of Energy on behalf of the Federal Executive Agencies; and the Idaho Conservation League. Order Nos. 36235, 36237, 36277. On July 26, 2024, the Commission issued a Notice of Parties.

On July 29, 2024, Kevin Dickey filed a Petition to Intervene (“Petition”). The Petition provides in relevant part:

Dickey receives electric utility services from Idaho Power Company (“ID Power”) as both a residential customer and as an irrigation customer. In this proceeding, Idaho Power seeks authorization to increase its annual Idaho jurisdictional revenue by \$99,293,220. This request would result in an overall increase of 7.31 percent and directly impacts Dickey’s residential and irrigation rates for service. Dickey has a direct and substantial interest in ensuring ID Power rates are just, reasonable, and appropriately allocated among ID Power’s customer classes.

Dickey intends to participate herein as a party, and if necessary, to introduce evidence, cross-examine witnesses, call and examine witnesses, and be heard in argument. The nature and quality of evidence Dickey will introduce is dependent upon the nature and effect of other evidence in this proceeding.

Granting Dickey's Petition to Intervene will not unduly broaden the issues, nor will it prejudice any party to this case.

Without the opportunity to intervene, Dickey would be without adequate means to participate in this proceeding that may have a material impact on his family's electric service rates.

Petition at 1-2.

### **COMMISSION FINDINGS AND DECISIONS**

On August 20, 2024, the Commission took up the Petition during the Commission's Decision Meeting. Commission Order No. 36238 set a July 12, 2024, deadline for petitions to intervene, and Dickey filed his Petition on July 29, 2024; thus, the Petition is untimely. After reviewing the Petition, the Commission notes two issues: (1) the Petition does not present a substantial reason for delay, nor good cause for untimely filing; (2) the Petition is not clear regarding whether Dickey, as an "irrigation customer," intends to attempt to represent the interests of a partnership or corporation.

Petitions to intervene are governed by Commission Rules of Procedure 71-75, which provide that late petitioners must state a substantial reason for delay and good cause for untimely filing. IDAPA 31.01.01.071-.075. Specifically, Rule 73 provides:

Petitions not timely filed must state a substantial reason for delay. The Commission may deny or conditionally grant untimely petitions for failure to state good cause for untimely filing, to prevent disruption, prejudice to existing parties or unduly broadening the issues, or for other reasons.

IDAPA 31.01.01.073. Rule 74 allows the Commission to impose reasonable conditions on intervenors. IDAPA 31.01.01.074.

Consistent with Rules 73 and 74, the Commission finds it is reasonable to conditionally grant intervention to Dickey. Dickey shall have fourteen (14) days from the date of this Order to file an amended petition setting forth a substantial reason and good cause for the untimely filing. The amended petition should address why Dickey's interests may not be fully represented or protected by the numerous intervenors, including Idaho Irrigation Pumpers Association, Inc., that filed timely petitions.

The amended petition should also address whether Dickey is attempting to represent a partnership or corporation. The Commission notes that representation for partnerships and corporation is governed by Commission Rule of Procedure 43.

The Commission shall then consider the amended petition.

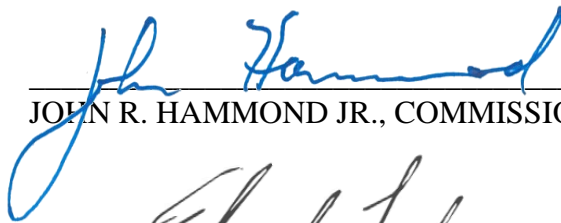
**ORDER**

IT IS THEREFORE ORDERED that Dickey’s Petition to intervene is conditionally granted, and Dickey shall have fourteen (14) days from the issuance of this Order to file an amended petition as outlined above.

IT IS FURTHER ORDERED that parties comply with Order No. 35375, issued April 21, 2022. Generally, all pleadings should be filed with the Commission electronically and will be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should continue to be accomplished electronically when possible. However, voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

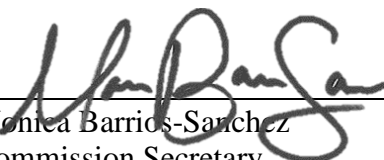
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 6<sup>th</sup> day of September 2024.

  
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ERIC ANDERSON, PRESIDENT

  
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JOHN R. HAMMOND JR., COMMISSIONER

  
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EDWARD LODGE, COMMISSIONER

ATTEST:

  
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Monica Barrios-Sanchez  
Commission Secretary

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