

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. 36334
ASSOCIATED WITH INCREMENTAL)
CAPITAL INVESTMENTS AND CERTAIN)
ONGOING OPERATIONS AND)
MAINTENANCE EXPENSES)

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.

On September 6, 2024, the Commission issued Order No. 36316, providing Dickey with fourteen (14) days to file an Amended Petition to Intervene containing supplemental information.

Amended Petition to Intervene

On September 9, 2024, Dickey filed an Amended Petition for Intervention ("Amended Petition"). The Amended Petition provides in relevant part:

Dickey is not representing a partnership or corporation.

Dickey's original filing was made one business day after receiving notice of ID Power's application in the mail with his regular power bill. At the time of filing, Dickey did not realize that the deadline for petitions had passed, and assumed that it had not, as he had just been notified. While ignorance of the law excuses no one, Dickey did file immediately as an intervenor upon receiving notice.

Dickey does not know if his interests are being fully represented or protected by the numerous intervenors that filed timely petitions, thus this amended application. Dickey has multiple power interests: residential, irrigation, solar - that may be individually represented by the other intervenors, but collectively there is no one intervenor that represents Dickey's multiple interests.

Amended Petition at 2.

Idaho Power's Answer to Amended Petition

On September 9, 2024, the Company filed an Answer to the Amended Petition. The Company represented that Dickey was provided appropriate notice of the Company's Application including email notification sent on July 4, 2024, with the bill insert customer notice available via link in the email, and notification by three paper bills through a bill insert sent on July 5, 2024, via U.S. Mail.

The Company also noted the challenges Dickey may face in participating as an intervening party under Idaho Public Utilities Rule of Procedure 36, rather than as an interested person under Rule 39. The Company reasoned that there is extremely limited time for Dickey to review the case

materials and voluminous discovery such that he may meaningfully participate in settlement discussions later this month without experienced utility regulatory counsel.

COMMISSION FINDINGS AND DECISIONS

On September 17, 2024, the Commission took up the Amended Petition during the Commission's Decision Meeting. 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.

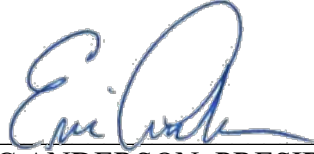
Having reviewed the Petition, the Amended Petition, and the record, the Commission finds that Dickey has not presented a substantial reason for the delay in filing for intervention. The Commission appreciates all customer participation in proceedings; however, the Commission's Rules of Procedure were established to provide a reasonable and expeditious framework for the Commission's proceedings, and that includes timelines for intervention. *See* IDAPA 31.01.01.001 *et seq.* Notwithstanding this decision, as a customer of the Company, Dickey may submit written comments in this case and may appear before the Commission during any public customer hearing to provide oral testimony regarding the Application.

ORDER

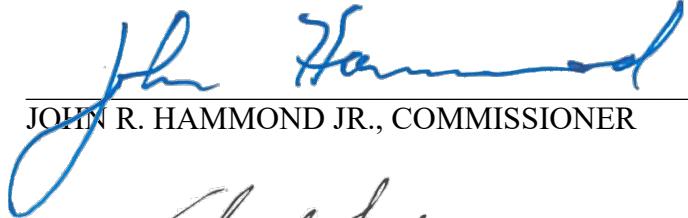
IT IS THEREFORE ORDERED that Dickey's Amended Petition to intervene is denied.

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 27th day of September 2024.



ERIC ANDERSON, PRESIDENT

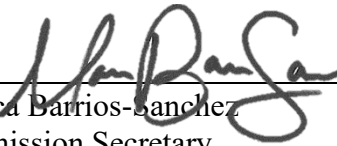


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Monica Barrios-Sanchez
Commission Secretary

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