

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF ROCKY MOUNTAIN) CASE NO. PAC-E-23-16
POWER’S APPLICATION FOR A)
DEFERRED ACCOUNTING ORDER)
REGARDING WILDFIRE CLAIMS) ORDER NO. 35939
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On September 6, 2023, PacifiCorp Idaho Industrial Customers (“PIIC”) filed a late petition to intervene (“Petition”) in this case. No party opposed PIIC’s petition. Having reviewed the Petition and the record, we grant PIIC’s Petition.

COMMISSION FINDINGS AND DECISIONS

Commission Order No. 35868 set an August 22, 2023, deadline for petitions to intervene in this case. PIIC filed its Petition on September 6, 2023. Thus, PIIC’s Petition is untimely. Untimely petitions to intervene are governed by Commission Rules of Procedure 71 through 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. The Commission may deny or conditionally grant an untimely petition that fails to state good cause for untimely filing to prevent disruption, prejudice to existing parties, undue broadening of the issues, or for other reasons. IDAPA 31.01.01.073.

PIIC asserts that permitting its intervention is necessary so that it can participate in the determination of issues affecting electric service rates for its members. Specifically, PIIC expresses concern over Idaho customers being subject to future rate increases resulting from PacifiCorp’s¹ simple or gross negligence. PIIC asserts that an accounting order preserving the Company’s ability to recover such costs is “inappropriate” and such costs “prima facia, are not fairly, justly, and reasonably incurred.” Petition at 2.

In its Petition, PIIC acknowledges that its Petition was untimely. However, PIIC submits that notice of the intervention deadline may have been sent to an old email address that its counsel, Ron Williams, apparently neither closely monitors nor has ensured was updated in the

¹ Rocky Mountain Power, the applicant seeking a deferred accounting order in this case, is a division of PacifiCorp.

Commission's database. PIIC also represented that its untimely petition will not cause disruption, prejudice, or undue broadening of the issues.

Based upon our review of the Petition and the record, we find that PIIC has a direct and substantial interest in this proceeding and will not unduly broaden the issues. No party has objected to the Petition, and it does not appear that granting the Petition will prejudice any existing party. Accordingly, we find it reasonable to grant PIIC's Petition. Pursuant to Rule 73 PIIC is bound by all prior orders and notices issued in the case.

ORDER

IT IS THEREFORE ORDERED that PacifiCorp Idaho Industrial Customer's petition to intervene is granted.

IT IS FURTHER ORDERED that all parties in this proceeding serve all papers hereafter filed in this matter on all parties of record. For purposes of service, the Intervenor's contact information is:

PIIC:

Ron Williams
Hawley Troxell Ennis & Hawley LLP
877 West Main Street, Suite 200
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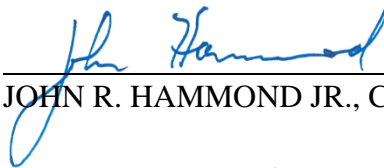
Brandon Helgeson
Hawley Troxell
bhelgeson@hawleytroxell.com

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 3rd day of October 2023.



ERIC ANDERSON, PRESIDENT

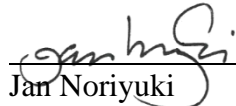


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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