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 IDAHO PUBLIC
 UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	CASE NO: AVU-E-17-1
OF AVISTA CORPORATION DBA AVISTA)	
UTILITIES FOR AUTHORITY TO)	CAPAI'S PETITION FOR
INCREASE ITS RATES AND CHARGES)	INTERVENOR FUNDING
FOR ELECTRIC AND NATURAL GAS)	
_____)	

I. INTRODUCTION

COMES NOW, the Community Action Partnership Association of Idaho (CAPAI) and, pursuant to Idaho Code § 61-617A and Rules 161-165 of the Commission's Rules of Procedure, IDAPA 31.01.01.161-165, petitions this Commission for an award of intervenor funding in the above-captioned proceeding.

II. BACKGROUND

On June 9, 2017, Avista Corporation (Avista; Company) filed an Application, along with testimonies, exhibits, and amendments thereto, seeking approval of a general rate increase for both its electric and gas customers in Idaho. Pursuant to Order No 33808 issued by the Commission on June 30, 2017, CAPAI timely filed a Petition to Intervene in this proceeding on July 14, 2017. CAPAI's Petition to Intervene was approved by the Commission in Order No. 33825 on July 27, 2017 that also scheduled the case for hearing and other deadlines.

CAPAI immediately began reviewing the Company's Application. Settlement discussions were conducted and CAPAI fully participated in the proposed settlement now before the Commission for consideration. During these discussions, CAPAI began to formulate its position on the proposed settlement including, among other things, CAPAI's expression of interest in exploring a possible funding increase for the Company's Low Income Weatherization and Low Income Conservation and Education programs. Both Avista and the Commission Staff agreed to consider CAPAI's positions in this regard and a second level of discussions were held between all interested persons, but primarily CAPAI, Staff, and Avista. These second round discussions have likely resulted in a better understanding of Avista's programs and what might be a final agreement as to the appropriate funding level.

Although the low income issues were addressed in the proposed, all-party settlement agreement, CAPAI remains in continuing discussions with Staff and Avista. The three parties agreed that if an agreement can be reached by year's end, a proposal would be submitted to the Commission. CAPAI remains in discussion with Staff and the Company and agreed that the objective of discussions would lead to a final resolution which would then be passed along to the Commission for consideration. It is CAPAI's hope that that the parties will come to terms on the specifics of setting a proper funding level of LIWA and the Low Income Conservation/education programs. If a resolution is reached by the year's end, it will be presented to the Commission.

CAPAI has worked closely with the Company and Staff in a collaborative and innovative fashion. It bears noting that although a final resolution of all low income concerns has yet to be finalized there is a good possibility of reaching a resolution before December 31, 2017. These continued discussions very well might prove likely to have a healthy benefit beyond the scope of this case and possibly benefit numerous aspects of low income concerns.

III. RESULTS OF THREE PARTY NEGOTIATIONS.

Not only has working closely with Staff and Avista proven to be productive, the process of working through low income issues in such a manner has benefitted the overall effectiveness of said programs. Regardless of whether and how the low income interests are to be affected by the protracted settlement discussions, there is an enhanced understanding of these important issues and an enhanced working relationship when assessing low income interests.

IV. PROCEDURAL REQUIREMENTS

Rule 161 Requirements:

Avista is a regulated, electric and gas public utility with gross Idaho intrastate annual revenues exceeding three million, five hundred thousand dollars (\$3,500,000.00).

Rule 162 Requirements:

(01) Itemized list of Expenses

Consistent with Rule 162(01) of the Commission's Rules of Procedure, an itemized list of all expenses incurred by CAPAI in this proceeding is attached hereto as Exhibit "A."

(02) Statement of Proposed Findings

The unique nature of second-round discussions is such that CAPAI does not yet know if a final resolution to program funding. It is CAPAI's intent to contact Staff and the Company immediately after the long Christmas weekend.

Staff has responded by proposing that the actual level of the funding increases for both these programs should be somewhat less than that proposed by CAPAI. Avista remains in support of a funding increase at what might be less than CAPAI's proposal. Whatever final proposal might be made to the Commission, CAPAI proposes that the Commission approve

CAPAI's funding proposals for weatherization and conservation education. If an agreement can be reached, to whatever level that agreement is.

3) Statement Showing Costs:

CAPAI fully participated in every aspect of this proceeding from start to finish and provided input and asserted issues not raised by Staff and other parties. This case spanned roughly eight months. CAPAI's participation is summarized throughout this Petition, including in Exhibit "A." For the reasons stated throughout this Petition, CAPAI respectfully submits that the costs it seeks to recover as set forth in Exhibit A, are reasonable in amount.

The Commission well knows the financial limitations that CAPAI faces. For example, CAPAI seldom can afford to retain an outside expert witness and does so only in particularly technical proceedings. In the present case, CAPAI relied heavily on its Executive Director, Christina Zamora, for all technical and policy aspects of this and any other IPUC case that CAPAI intervenes in. In that and many other respects, CAPAI'S executive director continues to play a vital role in low income matters. CAPAI'S executive director is always a highly-qualified expert who contributes a substantial amount of time and resources so that CAPAI is able to meaningfully participate in cases before the Commission and provide the Commission with unique and valuable perspective and information. CAPAI has historically requested an amount of intervenor funding that prices CAPAI's executive director and legal counsel at a level less than market rates in any given case.

CAPAI's funding requests have always been less than market rates in a given case whether pricing the value and cost of CAPAI's executive director or legal counsel. In this regard, CAPAI notes that its legal counsel has nearly 3 decades of experience in public utility law, one of the more highly specialized fields in the legal profession. Hourly rates for an

attorney with commensurate experience in such a specialized area of practice in this market are at least 2-3 times what CAPAI seeks for recovery in its intervenor funding requests.

Furthermore, in the roughly fifteen years that CAPAI's legal counsel has represented CAPAI in PUC proceedings, his rate has increased only 2-3 times and, even then, the total increase over fourteen years has been approximately \$50/hour.

Based on the foregoing, CAPAI respectfully submits that the costs incurred and requested in this Petition are reasonable in amount.

(04) Explanation of Cost Statement

CAPAI is a non-profit corporation overseeing a number of agencies who fight the causes and conditions of poverty throughout Idaho and has relatively little “discretionary” funds available for all projects, including participating in IPUC proceedings. CAPAI notes that it has no choice but to minimize its expenses and maximize the effect that its involvement has in proceedings before the Commission in light of its limited financial resources for this type of effort. Thus, CAPAI must adopt a resourceful approach using what limited resources that are at its disposal.

CAPAI’s sole source of funding to cover the costs of intervention before this Commission is the LIHEAP program. CAPAI’s LIHEAP budget is limited and if recent years serve as any indication, uncertain as to its future levels. In addition, CAPAI is subject to certain federal limitation in terms of the manner in which it spends its LIHEAP funds. This, unfortunately, limits the scope of issues that CAPAI is financially able to become involved in.

Finally, CAPAI has no monetary stake in the outcome of this or any other proceeding before the Commission in the sense that it does not represent for-profit businesses or advocacy

groups representing industry interests. Rather, CAPAI is a voice for the low income ratepayers of Avista and all other fully regulated utilities in Idaho.

Thus, were it not for the availability of intervenor funding and past awards by this Commission, CAPAI would not be able to participate in IPUC cases representing an important and otherwise unrepresented and growing segment of regulated public utility customers. Even with intervenor funding, participation in Commission cases constitutes a significant financial hardship because CAPAI must pay its expenses as they are incurred, not if and when intervenor funding becomes available.

(05) Statement of Difference

CAPAI was the only party to address the Company's low income programs in significant detail in its direct testimony. Consequently, CAPAI's position in this case is materially different than Staff's.

Consequently, CAPAI's position differed materially from that of Staff's for purposes of intervenor funding requirements.

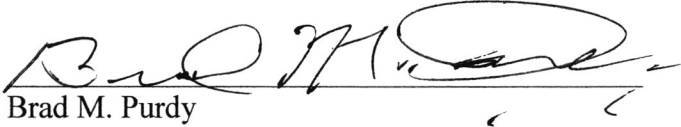
(06) Statement of Recommendation

Avista's low income customers constitute a significant and increasing segment of the Company's residential ratepayers. In today's increasingly challenging economic times, issues affecting low income public utility ratepayers also become increasingly important. To the extent that low income customers are unable to reduce their energy consumption due to limited financial and other means and to the extent that the poor are most vulnerable to disconnection due to inability and failure to pay their bills, this clearly and positively affects the general body of Avista's customers through, among other things, the reduction of bad debt expense, collection costs, and the lost revenue from customers who cannot afford to pay their electric bills.

(07) Statement Showing Class of Customer

To the extent that CAPAI represents a specific customer class of Avista, it is the residential class.

RESPECTFULLY SUBMITTED, this 22nd day of December, 2017.



Brad M. Purdy

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December 2017, I caused the foregoing document to be served on the following via electronic and physical service:

Avista Corporation

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Brad M. Purdy

EXHIBIT "A"
ITEMIZED EXPENSES

CAPAI'S STATEMENT SHOWING COSTS
Case AVU-E-17-1

Tasks performed during course of case.

Expense Categories

The categories of expenses and work performed are as follows	Hrs.
Review of pleadings, motions, applications, etc.	15
Communications w/client and other parties	16
Drafting of pleadings, motions, applications, testimony, etc.	14
Participation in hearings, settlement conferences, conference calls, meetings, etc.	<u>12</u>
	57

Brad Purdy (59 hrs @ \$150.00/hr)	\$8,850
Christina Zamora (14 hrs @ \$30.50 hr.)	<u>\$427</u>
<u>Total Fees</u>	\$9277
Copies, postage & miscellaneous	<u>\$110</u>
<u>Total Fees and Costs</u>	\$9387