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IDAHO PUBLIC
UTILITIES COMMISSION

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Attorneys for Intervenor Monsanto Company

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE
APPLICATION REQUESTING
AUTHORITY TO REDUCE RETAIL
RATES BY \$2.8 MILLION TO PASS A
PORTION OF THE 2017 FEDERAL TAX
REFORM ACT COST SAVINGS ONTO
CUSTOMERS**

CASE NO. GNR-U-18-01

**AMENDED PETITION OF
MONSANTO COMPANY FOR
LEAVE TO INTERVENE**

COMES NOW Monsanto Company ("Intervenor"), through counsel and pursuant to Rule 72 of the rules of Procedure of the Idaho Public Utility Commission, hereby petitions to intervene herein and to appear and participate as a party herein with respect to PacifiCorp dba Rocky Mountain Power's tax reform filings, and as basis therefor states as follows:

- 1) The name and address of this Intervenor is:

Monsanto Company
James R. Smith
P.O. Box 816
Soda Springs, Idaho 83276
Fax: 208-547-3312
E-Mail: jim.r.smith@monsanto.com

This Intervenor will be represented by:

Randall C. Budge
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AMENDED PETITION OF MONSANTO COMPANY FOR LEAVE TO INTERVENE - 1

and requests that copies of all pleadings and production requests and responses should be provided to the following:

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16690 Swingley Ridge Rd., #140
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2) Intervenor has a direct and substantial interest in this proceeding as a special contract customer of Applicant Rocky Mountain Power and intends to participate in all respects herein as a party as may be required to represent its interests.

3) Without the opportunity to intervene herein, this Intervenor would be without a manner or means of participating in the lawful determination of issues which will result in affecting its rates for electric service.

4) Intervenor files this Amended Petition to amend and supplement the Petition for Monsanto Company for Leave to Intervene filed herein on April 12, 2018 for the purpose of establishing the reasons and good cause why the Petition was late filed after the November 6, 2018 deadline established by the Commission's Order No. 33991 dated February 22, 2018 as follows:

- a. Intervenor regularly monitors PacifiCorp electric rate cases filed with the Commission on the Commission's website under the "Electric Cases" category. During 2018 no PacifiCorp dba Rocky Mountain Power tax filings, notices of filings or intervention deadlines have been posted by the Commission on the website under the "Electric Cases" category.
- b. In early April this Intervenor made an inquire to PacifiCorp and learned for the

first time that PacifiCorp had filed on March 30, 2018 an application pertaining to the 2017 Federal Tax Reform Act Cost Savings. PacifiCorp must have also been confused about this case as its filing was initially submitted under Case No. PAC-E-18-01, with the case number then changed by the Commission to GNR-U-18-01.

- c. In early April 2018 searching the Commission's website under this case, GNR-U-18-01, Intervenor was able to locate the *Application of Rocky Mountain Power* ("Application") filed pursuant to Order No. 33965 initiating an investigation into the impact of the Federal Income Tax legislation enacted December 22, 2017 ("Tax Reform Act") and the Company's proposed rate making treatment for the associated impacts. Upon seeing the Company's Application, Intervenor promptly filed its Petition to Intervene which was believed to be timely because the Company had not made any previous filings and no notices had been given with respect to the Company's Application filed March 30, 2018.
- d. The Commission's Order No. 33991 dated February 22, 2018 states as follows:
"With this order, the Commission directs interested parties to file *Petitions to Intervene*, . . . as soon as practical and no later than Tuesday, March 6, 2018, as described below. These filings must name each rate-regulated utility in whose active settlement with Commission staff the Petitioner or requesting utility wants an opportunity to participate."

Intervenor was unaware of Order No. 33991 or the March 6, 2018 intervention deadline until after the Company's Application was filed March 30, 2018.

- e. This Intervenor has no knowledge of receiving Order No. 33991. If the Order was in fact received, Intervenor did not give heed or pay any attention to it because it was a GNR case and did not identify PacifiCorp as a party.
- f. To date the Commission has not given notice of PacifiCorp's Application filed March 30, 2018 and the Company did not serve the Application on this Intervenor as it does in most rate cases as a courtesy.
- g. There are no known active settlement discussions between the Company and Staff with respect to the Company's Application by reason of which there would be no

delay or prejudice to either by the granting of this late filed Petition to Intervene.

5) Based on the foregoing, Intervenor respectfully submits that a good and substantial reason and good cause exists for the delay in filing its Petition to Intervene which was made promptly and as soon as practicable after Intervenor became aware of the Company's Application.

6) The Commission has allowed other late filed interventions in this case submitted by the Idaho Conservation League and the Idaho Forest Group in this case.

7) This Intervenor is only interested in and intends to participate in the Application of PacifiCorp dba Rocky Mountain Power and neither Staff or the Company will be prejudice by granting intervention under the circumstances.

WHEREFORE, this Intervenor requests that this Commission confirm this Intervenor's leave to intervene in these proceedings and to appear and participate in all matters as may be necessary and appropriate; and to present evidence, call and examine witnesses, cross-examine witnesses, present argument, and to otherwise fully participate in the proceedings.

DATED this 17th day of April, 2018.

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED

By: Randall C. Budge
RANDALL C. BUDGE

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 17th day of April, 2018, I served a true, correct and complete copy of the foregoing document, to each of the following, via the method so indicated:

Diane Hanian, Secretary (original and 7)
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074
E-mail: diane.holt@puc.idaho.gov

U.S. Mail + Email

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