

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF

FROM: KARL T. KLEIN
DEPUTY ATTORNEY GENERAL

DATE: MAY 4, 2018

SUBJECT: ALLIANCE OF WESTERN ENERGY CONSUMERS' PETITION TO INTERVENE IN THE INVESTIGATION INTO THE IMPACT OF FEDERAL TAX CODE REVISIONS ON UTILITY COSTS AND RATEMAKING – CASE NO. GNR-U-18-01.

On February 22, 2018, the Commission set a March 6, 2018 intervention deadline for this case. Order No. 33991. On April 25, 2018, Alliance of Western Energy Consumers (AWEC) filed a late petition to intervene in the proceeding as to Intermountain Gas Company. The rules for late petitions to intervene, and the late petition filed by AWEC, are summarized below.

RULES GOVERNING LATE PETITIONS TO INTERVENE

Commission Rules provide that a petitioner seeking intervention must state its “direct and substantial interest . . . in the proceeding.” IDAPA 31.01.01.072. Petitions to intervene that are not timely filed “must state a substantial reason for delay.” IDAPA 31.01.01.073. “The Commission may deny or conditionally grant petitions to intervene that are not timely filed for failure to state good cause for untimely filing, to prevent disruption, prejudice to existing parties or undue broadening of the issues, or for other reasons.” *Id.* Also, “Intervenors who do not file timely petitions are bound by orders and notices earlier entered as a condition of granting the untimely petition.” *Id.*

AWEC’S PETITION

On April 25, 2018, AWEC filed a Petition for Leave to Intervene. AWEC members include diverse industrial and commercial interests, including food processing, pulp and paper, wood products, electric generation, aluminum, steel, chemicals, electronics, aerospace, and healthcare providers. AWEC provides an informational service to its members and participates in various regulatory matters that affect member interests. AWEC states it has a direct and substantial

interest in this case because its member companies purchase sales and transportation services from local distribution companies, including Intermountain Gas, and will thus be impacted by the Commission's decision as to Intermountain Gas in this proceeding. AWEC Petition at 2.

AWEC asserts its late intervention would not prejudice other parties in the proceeding or unduly broaden the issues or delay the proceeding. AWEC requests permission to participate as a party as its interests may arise. AWEC Petition at 3.

AWEC represents it contacted Intermountain Gas about the petition, and that Intermountain does not object to the late filing. No one has opposed AWEC's petition.

COMMISSION DECISION

Does the Commission wish to grant the AWEC's late petition to intervene?

A handwritten signature in black ink, appearing to read 'K. T. Klein', is written over a horizontal line.

Karl T. Klein
Deputy Attorney General

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