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KEVIN B. HOMER -- IDAHO STATE BAR. NR. 2901

DARLENE BONKOSKI, LEGAL ASSISTANT

November 19, 2007

Attn: Ms. Jean Jewell  
Idaho Public Utilities Commission  
472 West Washington  
Boise, Idaho 83702-5983

Re: Idaho Public Utilities Commission Case Nr. PAC – E 07-05  
Application of Pacificorp d/b/a Rocky Mountain Power  
**Application for Intervenor Funding for Timothy Shurtz, Intervenor**

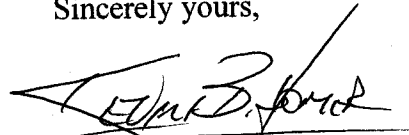
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IDAHO PUBLIC  
UTILITIES COMMISSION

Dear Jean,

Thank you for your courtesy when I called on the phone earlier this afternoon. As you instructed me, I am enclosing for filing one original and seven (7) copies of the Application for Intervenor Funding on behalf of Timothy Shurtz in the case identified above. Even though you didn't specify that one was required, I am also enclosing an electronic copy in Microsoft Word format on a CD-ROM.

Thank you sincerely for your help during this case. I look forward to thanking you in person someday.

Sincerely yours,

  
Kevin B. Homer

- Enclosures: Application for Intervenor Funding (original plus 7 copies)
- CD-ROM copy (Microsoft Word 97 format)

1 KEVIN B. HOMER, ESQ. – State Bar No. 2901  
2 1565 South Boulevard  
3 Idaho Falls, ID 83404  
4 Telephone: (208) 523-9131  
5 e-mail: [kbh@khomerlaw.com](mailto:kbh@khomerlaw.com)  
6 Attorney for Timothy Shurtz, Intervenor  
7  
8

RECEIVED  
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9 **BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**  
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13 **IN THE MATTER OF THE APPLICATION ) Case Nr. PAC-E-07-05**  
14 **OF PACIFICORP d/b/a ROCKY MOUNTAIN )**  
15 **POWER FOR APPROVAL OF CHANGES TO ) APPLICATION FOR**  
16 **IT IS ELECTRIC SERVICE SCHEDULES ) INTERVENOR FUNDING**  
17 **\_\_\_\_\_ ) (TIMOTHY SHURTZ, Intervenor)**  
18  
19

20 Timothy Shurtz, an intervenor in this case, pursuant to Rules 161-170 of the Idaho Public  
21 Utilities Commission Rules of Procedure, hereby applies for intervenor funding with regard to his  
22 participation in this case. The numbering of the sections below corresponds to the numbering set  
23 out in Rule 162, IPUC Rules of Procedure.  
24

25 Rule 162.01: Itemized List of Expenses. Timothy Shurtz incurred the following expenses  
26 for which he seeks reimbursement:

27 (a) Legal Fees: \$ 8,500.82 (see attached itemization—Exhibit “A”)  
28 (b) Travel Costs: \$ 134.60 (see attached itemization --Exhibit “B”)  
29 (c) Reproduction and postage costs: \$ 35.00  
30 (d) Timothy Shurtz’s own time: \$ 3,350.00 (see attached itemization – Exhibit “C”)

31 **Total reimbursement sought: \$12,019.92**  
32  
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1 Rule 162.02: Statement of Proposed Findings:

2 Timothy Shurtz requests that the Commission adopt the following finding with regard to  
3 this application for intervenor funding:

4 **Proposed Finding:** The Commission has reviewed the Application for Intervenor Funding  
5 filed by Timothy Shurtz, who petitioned to intervene on 18 July 2007, and who was granted  
6 intervenor status in this case. The Commission finds that Mr. Shurtz did contribute in a significant  
7 manner to the overall outcome of this case. Mr. Shurtz participated in the fact-finding discovery  
8 process—in particular with regard to the issues of whether Rocky Mountain Power’s reduced  
9 overhead expenses (*e.g.* through legislated tax relief and falling natural gas prices) were being  
10 reflected in the Company’s rate increase request. Mr. Shurtz personally visited the Company’s  
11 four service centers in the service area to determine whether the Company was adhering to the  
12 requirement of making the required rate information etc. readily available to the public. Mr.  
13 Shurtz contacted several newspapers and television stations in the service area, at least three of  
14 which ran significant news stories on the rate case at least in part as a result of Mr. Shurtz’s  
15 efforts. In addition to these efforts to make the general public more aware of the issues behind the  
16 rate request, Mr. Shurtz acted – albeit informally but still effectively – as the only “lay citizen”  
17 intervenor in the case. He participated in every public meeting and hearing. He participated  
18 actively in the settlement negotiations, particularly with regard to the ROE issues. He is entitled  
19 to intervenor funding. He has submitted a timely and complete Application for Intervenor  
20 Funding, in which his expenses—including the fees charged by the attorney he retained to assist  
21 him in the case—are properly itemized. The Commission has reviewed those expenses and finds  
22 them to be reasonable. The Commission therefore awards intervenor funding to Timothy Shurtz  
23 in the amount of **Twelve Thousand Nineteen and 92/100 Dollars.**

1           Rule 162.03: Statement Showing Costs. Timothy Shurtz states the following in support of  
2 the Rule's requirement (Rule 162.03) of a statement showing that the costs incurred (and the  
3 funding requested to repay those costs) are reasonable in amount:

4           (a) Legal Fees: His attorney's normal hourly rate is \$150.00 per hour. His attorney has  
5 twenty six (26) years' experience practicing business law in Idaho. The rate of \$150.00 per hour  
6 is conservative for an attorney with that experience. Because of the complexity of this case,

7           (b) Travel Costs: His mileage costs are calculated at the rate of \$0.20 per mile, which he  
8 believes to be a reasonable rate and below the cost approved by the IRS and the Idaho State Tax  
9 Commission. His attorney's travel expenses are calculated at the same rate, and are included in  
10 the attorney's statement of fees and expenses.

11           (c) Reproduction and Postage Costs: His costs of copying and mailing documents sent to  
12 all parties are based on the actual cost to him. His attorney's costs are calculated similarly and set  
13 out separately in the attorney's statement of fees and expenses.

14  
15           Rule 162.04: Explanation of Cost Statement/Statement of Financial Hardship. Timothy  
16 Shurtz has been required to finance all of his involvement in this case out of his own personal  
17 finances and household budget. He is employed at the Idaho Supreme potato processing plant in  
18 Firth, Idaho, where he is paid by the hour (approximately \$10.00 per hour). He does not have any  
19 other source of income. He has become involved in this case (and in other electric rate cases in  
20 the past) because of his childhood memory of "the power company" shutting off the power to his  
21 parents' home, and he is deeply emotionally committed to ensuring that huge electric companies  
22 and utilities recognize that the ordinary consumers (like himself) have budget problems that are  
23 even greater – and felt much more deeply, on a personal level—than the budget problems of which

1 the Company has complained in this case. His involvement in this case represented a huge  
2 expenditure of time for him, as well as a significant financial investment and a significant financial  
3 commitment to his attorney. He did not become involved as a method of supplementing his  
4 income; indeed, unless the Commission were to award the entire allocated investor funding pool to  
5 him alone—which he does not expect—it would have been financially wiser for him to ignore the  
6 rate case and simply work overtime hours at his regular job.

7  
8 Rule 162.05: Statement of Difference. Timothy Shurtz was involved in this rate case in a  
9 way, and from a perspective, that differed materially from the Staff and from the other  
10 intervenors—even though he acknowledges that, ultimately, he agreed to align himself with the  
11 staff's recommendations and sign the settlement stipulation.

12 (a) Street Lighting issue. His initial position regarding street lighting, and the effect that  
13 the proposed rate change would affect the individual consumer, was that the rate change for street  
14 lighting constituted a “hidden charge” that would be passed on to consumers. He acknowledges  
15 that that perspective changed slightly through negotiations, and that he ultimately agreed to the  
16 proposed Stipulation, although he continued to be vocally concerned about the effect of such  
17 actual or possible hidden charges to the individual consumer rate payers.

18 (b) Personally checking service centers. To the best of his knowledge, Mr. Shurtz was the  
19 only party (including staff) who actually personally visited the Company's various service centers  
20 to determine whether the required public disclosure information was actually available to the  
21 public.

22 (c) Raising issue of tax relief legislation. Mr. Shurtz was the only party (including staff)  
23 which raised the question of how—and how much—Idaho's recent tax relief legislation had

1 benefited Rocky Mountain Power and, therefore, why the Company did not reflect that reduced  
2 operating expense when requesting its rate increase. Similarly, he raised the question of the  
3 reduced cost of natural gas and why that savings was not being passed on to the consumer rate  
4 payers—an issue which he understands was also not championed by staff.

5 (d) Acknowledges ultimate alignment with staff. Mr. Shurtz acknowledges that he did  
6 ultimately align with staff in agreeing to sign the stipulation. To do otherwise would have  
7 constituted a needless waste of resources for the numerous parties involved, and he does  
8 acknowledge readily that he believes that the Commission's staff did an admirable job of handling  
9 this case.

10  
11 Rule 162.06: Statement of Recommendation.

12 This rule requires “a statement showing how [Timothy Shurtz's] recommendation or  
13 position addressed issues of concern to the general body of utility users or consumers.”

14 Response: Tim Shurtz was the only intervenor who appeared in this case as an individual  
15 consumer / rate payer. (He acknowledges that EICAP appeared on behalf of a class of consumers,  
16 and that AARP was involved in the same manner by testifying about the effect of the rate change  
17 on senior citizens; he agrees that their input into the case was also valuable.) He was able, from  
18 that perspective, to view the case as it would affect him and his family and household personally.  
19 He serves on the City Council of Firth, a town of a few thousand people in Bingham County; all  
20 the electric power for that city, as well as for the individual residents and their homes, is supplied  
21 by Rocky Mountain Power, and so his insights, concerns, data requests, and arguments were  
22 shaped by that perspective of recognizing how increased electrical costs to a municipality could  
23 flow through to its residents (for example, the issue of street lighting).

1 His involvement—particularly his contacting several newspapers and all the television  
2 stations in the area and alerting them to the issues raised by the rate case—brought the case to the  
3 attention of perhaps literally tens of thousands of persons who might otherwise either have not  
4 known at all about the case or at least might not have paid any more than passing attention to it.  
5 (The Post Register, for instance, featured the rate case with a full color picture on the front page of  
6 its main edition published just three days before the public hearings in Rigby and Grace.)

7  
8 Mr. Shurtz’s position addressed issues that were relevant to “the general body of  
9 consumers”—*i.e.* the ordinary household consumer customer of Rocky Mountain Power. As the  
10 testimony at the hearings brought out, those consumers had been accustomed to (and many  
11 testified that they had come to rely on) the BPA credits to make their electric bills manageable.  
12 Mr. Shurtz’s argument and testimony—to the effect that the Company’s request to raise rates on  
13 the heels of the loss of that BPA credit, and in the face of the Company’s *reduced* natural gas bills  
14 and *reduced* property tax expenses, amounted to the Company’s apparent disregard of the effect of  
15 the increase on its rank and file customers.

16 Mr. Shurtz raised two issues which were clearly and exclusively for the benefit of the  
17 typical consumer customer of the Company:

- 18 • The issue of whether the Company was in fact giving *actual* notice to its rate payer customers  
19 concerning the rate increase request and the facts behind that increase. In that testimony, he  
20 raised these issues and made these arguments:

21 (a) Notice of public workshops and hearings should be given by the company in a way  
22 that would guarantee that the customers receive and see the notice.

23 (b) The proposed customer/rate payer notice could and should be individualized

1 and specific, outlining for that individual consumer *exactly* how the proposed rate  
2 increase would affect the consumer.

3 (c) This individualized notice should also reflect the “hidden” costs that are passed on to  
4 rate payers through municipal charges.

- 5 • Second, Mr. Shurtz raised the question of whether the Company should not be required to  
6 make the functions of paying utility bills and obtaining information from the Company easier  
7 for the general consumer customers, particularly those on lower incomes or with restricted  
8 mobility.

9  
10 Finally, Mr. Shurtz’s involvement will, he hopes, have this effect on the Commission: he  
11 hopes that the Commission, through his involvement and particularly through this Application for  
12 Intervenor Funding, will recognize just how hard and how expensive it is for a typical consumer  
13 utility customer to get involved to any significant extent in a rate case. Even if the intervening  
14 customer does not hire legal counsel, still the hours (in his case, literally *dozens* of hours) that the  
15 intervenor is required to spend to become knowledgeable about the case make intervention almost  
16 completely prohibitive. In the vernacular, there is a steep “learning curve” that simply has to be  
17 worked through in order for any intervenor—whether an individual like Mr. Shurtz or an  
18 organization like the area community action partnerships—to be able to “compete” intelligently  
19 and effectively with the Company’s well-educated lawyers who handle these cases for a living—  
20 and who make a handsome living doing so. Mr. Shurtz was willing to make that sacrifice in this  
21 case, but he cites the fact that he was the *only* individual intervenor as proof that it is difficult for  
22 individuals to intervene simply because they cannot afford to. (That is the irony of the situation:  
23 the Company, which is well-bankrolled, petitions to raise its rates, and the individual customers—



1 who are already struggling to pay their utility bills—simply cannot *afford* to object effectively to  
2 the proposed rate increase because doing so requires such significant commitments of both time  
3 and money.)

4  
5 The obvious solution to that dilemma, of course, would be to make more money for  
6 intervenor funding available—and to ensure that that intervenor funding is awarded to those  
7 intervenors who have truly *personally* sacrificed in order to intervene. Mr. Shurtz hopes that his  
8 intervention will bring the appropriateness of that solution even more to the forefront. And  
9 certainly a second, and equally important, solution to that irony is that the Commission’s staff  
10 continue to do what it did so well in this particular case: namely, to see itself as the watchdogs and  
11 whistleblowers working on behalf of those rate payers who have not intervened but who are  
12 nevertheless very definitely affected by any proposed rate increase. The professionalism with  
13 which Staff fulfilled that role in this case is the primary reason why Mr. Shurtz, after pursuing his  
14 own specific goals in the case, (and those of his unofficial “class” – the general household  
15 consumers of whom he was an unofficial representative), agreed with Staff’s recommendation to  
16 settle the case.

17  
18 Rule 162.06 Statement Showing Class of Customer. Although he was not officially acting  
19 with authority as a representative of any class of persons, Mr. Shurtz was the only individual  
20 intervenor in the case, and he therefore took the position of all similarly situated individual  
21 customers – who, as explained immediately above, were prohibited from intervention because of  
22 the complexity and/or expense of the intervention process.

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**CONCLUSION.**

For all the reasons set forth in this Application for Intervention Funding, Timothy Shurtz applies to the Commission for intervenor funding in the amount of \$12,019.92

Respectfully submitted 19<sup>th</sup> day of November, 2007.

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Kevin B. Homer  
Attorney for Timothy Shurtz, Intervenor

**EXHIBIT "A"**  
**ITEMIZATION OF ATTORNEY'S FEES**

The following is a transcription of the computerized time and billing records kept by the bookkeeper for Kevin B. Homer, Attorney at Law, with regard to the time spent for Timothy Shurtz in the Rocky Mountain Power rate case. The data entered below are a complete and accurate recital of all the entries on the computerized statement prepared and delivered to Timothy Shurtz (which otherwise cannot be directly converted to e-mail format for purposes of distributing to all parties, etc.) on this case.

<u>Date</u>	<u>Work Done (all work in 2007)</u>	<u>Time Spent</u>
28 June	Telephone conference with Tim – discussed details of case	0.5
13 Sept	Phone conference with Tim re: Tim's compliance inspection tour of service centers, other aspects of objections – public notice issues, etc.	0.3
20 Sept	Review of Tim's notes and drafts of proposed Testimony	1.2
21 Sept	Telephone conference with Tim re: proposed Testimony	0.7
25 Sept	Review and revise proposed written testimony; conference with Tim to review and make further revisions, etc. (11:00 – 7:00)	8.5
26 Sept	Preparation of final draft of Tim's written Testimony	2.6
27 Sept	Phone call to Jean Jewell at IPUC re initial revision of testimony per Rule 231; Letter to Jean Jewell;	
	photocopying, assembling, mailing copies of all docs for all parties, etc.	3.4
28 Sept	Detailed revision of Written Testimony per Rule 231; conference with Tim to sign revised draft of Testimony; e-mail and photocopy, mail to all parties and Commission, etc.	3.0
10 Oct	Phone call from Justin Brown at Rocky Mountain	0.1
15 Oct	Conference with Tim re: responses to Rocky Mountain Power's First Set of Data Requests.	0.6
19 Oct	Preparation of Responses to Rocky Mountain Power Data Requests	5.0
23 Oct	Phone conference with Rexburg Standard Journal newspaper reporter	0.3
29 Oct	Preparation of Summary of Position for Rigby and Grace public hearings; conference with Tim to review draft of Summary.	3.7
30 Oct	Two phone calls from Tim; revision of Summary of Position; preparation and printing of final draft; attend public hearing in Rigby	1.6 4.0
1 Nov	Phone call from Tim; attend public hearing in Grace (total time: 4:30 – 10:30)	6.0
2 Nov	Participate in telephone settlement conference	1.1
4 Nov	Review interim draft of proposed Settlement Stipulation; e-mail to Tim.	0.3
5 Nov	Phone call with Tim; e-mail to Justin Brown; review and sign draft of settlement stipulation; e-mail and fax signature on stipulation to Commission, etc.;; two telephone calls with Commission.	0.75
12 Nov	Initial work on Application for Intervenor Funding	2.7

14 Nov	Conf with Tim to verify Tim's expenses for Application, etc.	0.7
15 Nov	Work on Application for Funding; draft components for Statements required by Rules of Procedure.	2.6
18 Nov	Work on Application; compiling and tabulating Tim's time spent, etc.	2.0
19 Nov	Final work on Application; compiling and confirming attorney time spent, expenses and costs advanced, etc.; e-mail to all parties; overnight mail to Commission, etc.	3.7

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Total time spent:

Billed at regular hourly rate: \$150.00 / hour  
(55.35 hours x \$150.00 / hour = \$ 8,302.50)

Costs advanced:

27 September:	Postage	18.35
27 & 28 September – & 19 October	Copying costs	40.00
19 October	Postage	40.22
19 November	Postage	18.35
Travel costs to attend hearings:		81.40
4 September	Rexburg	
30 October	Rigby	
1 November	Grace	

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Total out-of-pocket costs and costs advanced: \$198.32

Total attorney fees and costs advanced billed to Timothy Shurtz:

Fees:	\$ 8,302.50
<u>Costs advanced:</u>	<u>198.32</u>
Total:	\$ 8,500.82

**EXHIBIT "B"**  
**ITEMIZATION OF TRAVEL EXPENSES**  
**(COSTS INCURRED BY TIMOTHY SHURTZ)**

<u>Date</u>	<u>Location of meeting, etc.</u>	<u>Miles traveled</u>
4 Sept.	Rexburg -- public information meeting	100
30 Oct.	Rigby -- public hearing	80
1 Nov.	Eastern Idaho—to visit four service centers	293
Sep-Nov/07	Idaho Falls – for conferences with Kevin Homer	200
<hr/> Total miles traveled		673 miles
Mileage reimbursement requested: 673 miles x \$ 0.20 / mile -		\$ 134.60

**Exhibit "C"**  
**ITEMIZATION OF TIME SPENT BY TIMOTHY SHURTZ**

The following is a transcription of personal records, journal entries, calendar notes, and other time records showing the actual time spent by Timothy Shurtz in his capacity as an Intervenor in this case.

<u>Date</u>	<u>Work Done (all work in 2007)</u>	<u>Time Spent</u>
28 June 2007	Talked to Randy Laube about case for 20 minutes	0.4
28 June	Retained lawyer, Kevin Homer; discussed case for 30 minutes	0.5
11 July	Draft petition for intervention – mail to Commission	1.0
27 July	Telephone conference with Scott Woodbury	0.1
27 July	Research on case	2.0
27 July	Telephone call to Randy Budge – left voice mail	0.1
28 July	Additional research and preparation	2.0
30 July	Telephone conference with Kevin Homer	0.2
30 July	Telephone conference with Eric Olsen, Esq.	0.5
30 July	Office conference with Kevin Homer	2.2
31 July	Read testimony from case	2.0
1 August	Read testimony from case (McDougal)	2.5
2 August	Additional research in McDougal's testimony	1.0
3 August	Read additional research materials for case	4.0
6 August	Work on case – reviewing case materials, testimony, etc.	1.7
8 August	Additional work on case – review and research, etc.	2.1
9 August	More work on case (reading testimony, etc.)	1.6
10 August	Additional reading	1.4
12 August	Research on case	2.7
13 August	More research; review of testimony, formulating questions, etc.	1.7
15 August	Work on case; additional reading	1.2
17 August	Additional research	0.4
19 August	Study for case	1.6
21 August	More study, research, reading, etc.	1.7
22 August	Study for case	1.0
23 August	Study for case	2.3
24 August	Studying materials	1.6
25 August	Work on case	1.4
26 August	More study for case; reading additional research information	2.1
27 August	Study; reviewing research, etc.	2.3
29 August	Research	1.7
30 August	More work on case; study, new research, etc.	1.9
31 August	Study; additional research, notes, etc.	2.0
3 September	Read materials for case, prep for meeting in Rexburg	2.6
4 September	Additional preparation; attend public hearing in Rexburg	3.3
5 September	Review notes from Rexburg hearing, more study	1.7

**Exhibit "C," continued – page 2**  
**Time spent by Tim Shurtz, Intervenor**

6 September	More study; begin compiling notes, ideas, etc. for written testimony	1.3
8 September	Research; more work on ideas for written testimony	1.1
9 September	Study additional case materials	1.0
10 September	Prepare written testimony; initial draft, review of notes, etc.	3.2
11 September	More work on testimony; reviewing other witnesses' testimony, etc.	2.7
12 September	Detailed work on testimony; review and revision; more research	3.7
13 September	More work on testimony, review more materials for case, etc.	4.1
14 September	Intense work on testimony, more study on issues, etc.	3.3
15 September	Work on testimony, prep for other involvement at hearing	3.0
16 September	Work on testimony	3.3
17 September	Work on testimony, other research	3.0
18 Sept	Work on testimony; review of possible additional testimony issues	2.7
19 Sept	More work on testimony; review of other witnesses' testimony	1.5
20 Sept	More work on testimony, compiling notes, etc.	1.5
21 Sept	Work with Kevin	2.1
22 Sept	Prep to work in field, make visits to centers, etc.	1.3
23 Sept	Work in field; traveling to centers	4.6
28 Sept	Read testimony from Staff	2.3
29 Sept	Reading more testimony from staff, other intervenors	2.1
30 Sept	More review of testimony from other witnesses	1.7
2 Oct	Review of testimony from other intervenors, witnesses	1.9
3 Oct	More review and reading	1.3
4 Oct	Review of materials	0.7
5 Oct	Read testimony and data requests	2.1
6 Oct	More review of data requests and responses from other parties	2.9
7 Oct	Review of requests and responses	1.9
8 Oct	Review of requests and responses	2.6
10 Oct	Work on initial notes for data requests, etc.	0.5
11 Oct	Notes for initial work on data requests	1.3
12 Oct	Initial work on preparing data requests	2.1
13 Oct	More work on data requests	2.7
14 Oct	Data requests—review and revision	1.9
15 Oct	Work on preparing case for hearing, etc	2.1
17 Oct	More work on preparing case	0.7
19 Oct	Research, compiling notes, prep for hearings	1.1
22 Oct	Contacting media (newspapers, radio stations, etc.)	2.3
23 Oct	More work contacting newspapers, etc.	2.6
24 Oct	More contacting media rep's, Spanish station, etc.	1.1
26 Oct	Began reading rebuttal testimony from Rocky Mountain	2.7
27 Oct	More time spent reading rebuttal testimony	3.9
28 Oct	More review of Rocky Mountain testimony	3.8
29 Oct	Detailed review of Rocky Mountain testimony	1.6
30 Oct	Attended hearing in Rigby, discussed settlement with Staff	5.0

**Exhibit "C," continued – page 3**  
**Time spent by Tim Shurtz, Intervenor**

31 Oct	Talked to Staff about settlement; conf with Kevin Homer; research.	2.0
1 Nov	Attended hearing in Grace; discussed settlement with Staff.	6.5
2 Nov	Review of e-mails re settlement; discussed settlement with Kevin Homer	1.7
3 Nov	Review of final settlement e-mail proposal from staff, Kevin Homer	0.3
5 Nov	Telephone call with Kevin Homer confirming settlement authority	0.2

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Total time spent by Timothy Shurtz: 167.5 hours

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Note to Commission on application for reimbursement of time spent by Timothy Shurtz:

Regarding calculation of an "hourly rate": Timothy Shurtz suggests, respectfully, that if his time were to be reimbursed at an hourly rate, the rate of \$20.00 per hour would be fair and appropriate. Therefore, a total reimbursement to be paid back to him for his time spent in researching and preparing his case would be as follows:

$$167.5 \text{ hours} \times \$20.00 / \text{hour} = \$3,350.00$$

Timothy Shurtz recognizes that there is no specific statutory or administrative provision authorizing direct reimbursement of an intervenor's time spent in being involved in the case; however, he suggests that the Commission should keep the foregoing number in mind, in addition to his out-of-pocket expenses, travel expenses, and lawyer's fees, when setting the total amount of intervenor funding to be awarded to him.




**VERIFICATION OF EXPENSES BY INTERVENOR**

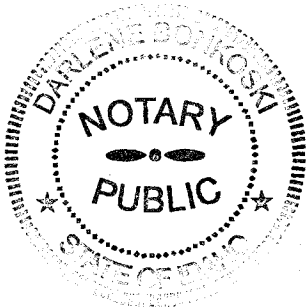
State of Idaho )  
County of Bonneville )

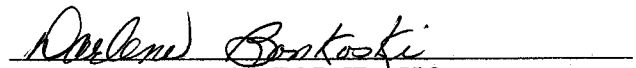
Timothy Shurtz, being first duly sworn, states the following under oath:

- 1. I am the named Intervenor referred to in this Application for Intervenor Funding.
- 2. I have reviewed the foregoing Request for Payment of Expenses by Intervenor to which this Verification is attached.
- 3. The expenses which are stated above as being my own personal expenses which I incurred in the process of my involvement in this rate case, are true and accurate.
- 4. The time records for the time I spent personally in my involvement in this case are true and accurate.
- 5. The time records and reimbursement for costs advanced by my attorney appear to be reasonable to me. Any conferences or telephone conferences which my attorney claims that I attended or in which I participated with him, did in fact occur as he has stated.
- 6. The foregoing statement of expenses is true and correct to the best of my knowledge, information and belief.

  
 \_\_\_\_\_  
 TIMOTHY SHURTZ  
 Intervenor

Subscribed and sworn to by Timothy Shurtz before me, the undersigned Notary Public of the State of Idaho, this 14<sup>th</sup> day of November, 2007.



  
 \_\_\_\_\_  
 NOTARY PUBLIC FOR IDAHO  
 Residing in: Idaho Falls  
 My Commission expires: 5-10-13

## CERTIFICATE OF DELIVERY

I, Kevin B. Homer, attorney for Timothy Shurtz, hereby certify that on this 19<sup>th</sup> day of November, 2007, I delivered—by electronic e-mail to the e-mail addresses listed below, and by U.S. Postal Service first class mail to the mailing addresses listed below—a true and correct copy of the foregoing Application for Intervenor Funding to all the persons identified below.

Delivered to:

DEAN BROCKBANK, Esq.  
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