

Brad M. Purdy
 Attorney at Law
 Bar No. 3472
 2019 N. 17th St.
 Boise, ID. 83702
 (208) 384-1299
 FAX: (208) 384-8511
bmpurdy@hotmail.com
 Attorney for Petitioner
 Community Action Partnership
 Association of Idaho

RECEIVED
 FILED
 2004 APR -5 PM 1:09
 IDAHO PUBLIC
 UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	CASE NOS. AVU-E-04-1
OF AVISTA CORPORATION FOR THE)	AVU-G-04-1
AUTHORITY TO INCREASE ITS RATES)	
AND CHARGES FOR ELECTRIC AND)	COMMUNITY ACTION
NATURAL GAS SERVICE TO ELECTRIC)	PARTNERSHIP ASSOCIA-
AND NATURAL GAS CUSTOMERS IN THE)	TION OF IDAHO'S
STATE OF IDAHO.)	PETITION TO INTERVENE
_____)	

COMES NOW, Community Action Partnership Association of Idaho (hereinafter "CAPAI" or "Intervenor") and, pursuant to Rules 071-075 of the Commission's Rules of Practice and Procedure, IDAPA 31.01.01.071-075, hereby petitions the Commission for leave to intervene in this proceeding and to appear and participate with full parties' rights. In support of this Petition, CAPAI states as follows:

1. The address and name of the respective Intervenor is:

Community Action Partnership Association of Idaho
 P.O. Box 8224
 Boise, ID. 83707

2. This Intervenor will be represented in this proceeding by:

Brad M. Purdy
 Attorney at Law
 2019 N. 17th St.

Boise, ID. 83702
208-384-1299
FAX: 208-384-8511
Email: bmpurdy@hotmail.com

Michael Karp
147 Appaloosa Lane
Bellingham, WA. 98229
Phone 360-724-3215
FAX: 360-724-5272
Email: michael@awish.net

Copies of all pleadings, production requests, responses, Commission Orders and Notices and other documents should be provided to Brad M. Purdy and Michael Karp.

3. CAPAI is a non-profit corporation consisting of six community action agencies serving every county in Idaho and also includes, among others, the statewide Idaho Migrant Council and fights the causes and conditions of poverty through building the capacity and effectiveness of its members who have a direct and substantial interest in this proceeding. These causes and conditions of poverty include high utility costs for Avista's low income rate payers. Low income families pay a higher percentage of their income for utility expenses than those in other economic categories. These conditions are often caused by living in sub-standard or older housing that is not energy efficient. Weatherization offers energy efficient retrofits for homes owned by low-income rate payers (at 150% poverty level). Currently, weatherization programs in Idaho have as much as a six year backlog of customers needing the service.

CAPAI, if allowed intervention, will, among other things, address the current levels of funding in Avista's low-income weatherization program as well as numerous other issues related to low-income ratepayers.

4. CAPAI intends to participate in this proceeding as a party and introduce testimony and exhibits, cross-examine other witnesses, engage in oral argument and otherwise fully participate as a party.

5. CAPAI recognizes that this petition is filed after the deadline set by the Commission in the Notice of Application dated February 25, 2004. In support of this late filing, and in light of the considerations identified in Rule 73 of the Commission's Rules of Practice and Procedure, IDAPA 31.01.01.73, CAPAI states the following:

CAPAI became aware of Avista's intent to file a general rate case approximately December, 2003. During the course of conversation's with Avista's Bruce Folsom, CAPAI's executive director, Ms. Teri Ottens, was left with the impression that it would not be necessary for CAPAI to seek formal intervention until sometime in mid-April, 2004. CAPAI was not represented by legal counsel, in the context of this proceeding, when Ms. Ottens had these conversations with Avista.

During the months of February and March 2004, Ms. Ottens was, in addition to her normal business responsibilities, spending considerable time dealing with legislative matters for the 2004 Idaho legislative session. She was simultaneously an active participant in the Idaho Power rate case (Case No. IPC-E-03-13). Prior to its involvement in the Idaho Power rate case, CAPAI had never intervened in a proceeding before this Commission and was completely unfamiliar with the Commission's practices and procedures.

It was not until April 1, 2004 that CAPAI learned of Avista's filing and the intervention deadline. Both Ms. Ottens and the undersigned, CAPAI's legal counsel in

the Idaho Power rate case, were heavily involved in Case No. IPC-E-03-13. This is the earliest opportunity that CAPAI has had to intervene upon learning of Avista's filing.

Regarding Rule 73, CAPAI contends that granting it intervention in this proceeding will neither be disruptive, nor prejudicial to existing parties. Furthermore, CAPAI's involvement in this proceeding will not unduly broaden the scope of the issues. CAPAI has discussed this petition with Mr. David J. Meyer, legal counsel for Avista, and is authorized to represent that Avista does not oppose CAPAI's intervention.

WHEREFORE, the Community Action Partnership of Idaho hereby requests that this Commission grant its Petition to Intervene in this proceeding and to fully appear and participate as a party with all the attendant rights and responsibilities.

DATED, this ²⁷ 7 day of April, 2004.


Brad M. Purdy

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of April, 2004, I caused to be served the foregoing PETITION TO INTERVENE OF COMMUNITY ACTION PARTNERSHIP ASSOCIATION OF IDAHO on the following, in the manner indicated.

Kelly Norwood
Avista Utilities
P.O. Box 3727
Spokane, WA. 99220-3727
Kelly.norwood@avistacorp.com

- U.S. Mail, postage prepaid
- Hand delivered
- Facsimile
- Overnight mail

David J. Meyer
Avista Utilities
P.O. Box 3727
Spokane, WA. 99220-3727
David.meyer@avistacorp.com

- U.S. Mail, postage prepaid
- Hand delivered
- Facsimile
- Overnight mail

Scott Woodbury
John Hammond
Deputies Attorney General
Idaho Public Utilities Commission
472 W. Washington St.
Boise, ID. 83702
swoodbu@puc.state.id.us

- U.S. Mail, postage prepaid
- Hand delivered
- Facsimile
- Overnight mail

Charles L.A. Cox
Evans, Keane
111 Main St.
P.O. Box 659
Kellogg, ID. 83837
ccox@usamedia.tv

- U.S. Mail, postage prepaid
- Hand delivered
- Facsimile
- Overnight mail

Conley E. Ward
601 W. Bannock St.
Boise, ID. 83702
cew@givenspursley.com

- U.S. Mail, postage prepaid
- Hand delivered
- Facsimile
- Overnight mail

Dennis Pesau
1500 Liberty St., Suite 250
Salem, OR. 97302
dpeseau@excite.com

- U.S. Mail, postage prepaid
- Hand delivered
- Facsimile
- Overnight mail