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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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| GOLDENDALE ALUMINUM COMPANY, ET AL.,  Petitioners,  vs.  THE BONNEVILLE POWER ADMINISTRA­TION, DEPARTMENT OF ENERGY, JUDI JOHANSEN, ADMINISTRATOR OF THE BONNEVILLE POWER ADMINISTRATION,  Respondents.    BENTON RURAL ELECTRIC ASSOCIATION, WASHINGTON, ET AL.,  Petitioners,  vs.  THE BONNEVILLE POWER ADMINISTRA­TION, DEPARTMENT OF ENERGY, JUDI | )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  ) | DOCKET NO.  CA 99-70268  MOTION FOR LEAVE TO INTERVENE ON REVIEW OF PETITIONS UNDER THE NORTHWEST POWER ACT |

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| JOHANSEN, ADMINISTRATOR OF THE BONNEVILLE POWER ADMINISTRATION,  Respondents.    PUGET SOUNT ENERGY, INC.,  Petitioners,  vs.  THE BONNEVILLE POWER ADMINISTRA­TION, DEPARTMENT OF ENERGY, JUDI JOHNSEN, ADMINISTRATOR OF THE BONNEVILLE POWER ADMINISTRATION,  Respondents.    PORTLAND GENERAL ELECTRIC COMPANY,  Petitioners  vs.  THE BONNEVILLE POWER ADMINISTRA­TION, DEPARTMENT OF ENERGY, JUDI JOHNSEN, ADMINISTRATOR OF THE BONNEVILLE POWER ADMINISTRATION,  Respondents.    COLUMBIA FALLS ALUMINUM COMPANY, AND VANALCO, INC.,  Petitioners,  v.  ADMINISTRATOR, BONNEVILLE POWER ADMINISTRATION,  Respondent. | )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  )  ) | DOCKET NO.  CA 99-70323 |

Pursuant to Rules 15(d) and 27 of the Federal Rules of Appellate Procedure and Circuit Rules 15-3.2 and 27-1, the Idaho Public Utilities Commission moves to intervene in the above-captioned consolidated proceedings.  These proceedings concern the review of the Power Subscription Strategy and the Administrator’s Record of Decision issued by the Bonneville Power Administration (BPA) on December 21, 1998.  Under Circuit Rule 15-3.2(c) a party granted leave to intervene in one of a number of consolidated cases will be deemed to have intervened in all consolidated cases.

The Idaho Public Utilities Commission is aware of five separate petitions seeking review of BPA’s Power Subscription Strategy and its Record of Decision.  These Petitions were filed between March 10-18, 1999.  The Power Subscription Strategy establishes BPA’s plan for entering new power sale contracts with Pacific Northwest customers beginning in October 2001.  In addition, the Subscription Strategy and its Record of Decision address the allocation of power generated at the Federal Columbia River Power System among various customer classes, including publicly-owned utilities, investor-owned utilities and direct service industries.  The Power Subscription Strategy also addresses the availability of federal power, describes power products, establishes strategies for pricing power products, and discusses elements of BPA’s power contracts.

INTEREST OF THE IDAHO PUBLIC UTILITIES COMMISSION

The Idaho Public Utilities Commission is a governmental agency of the state of Idaho vested with the authority to regulate investor-owned utilities (IOUs) providing electrical service within the state.  Idaho Code § 61-501. The three largest IOUs subject to this Commission’s regulation serve more than 80% of Idaho retail electric customers.  The Commission sets the rates for IOU electric service.  Idaho Code § 61-502.

The Idaho Public Utilities Commission has a direct and continuing interest in BPA’s Power Subscription Strategy.  The Commission has been involved in public proceedings conducted by BPA concerning its subscription strategy.  The Commission formally commented on BPA’s draft or proposed power subscription strategy in August and October 1998.

Pursuant to Section 5 of the Northwest Power Act (16 U.S.C. § 839c), investor-owned utilities regulated by this Commission are entitled to purchase power from BPA.  The amount of power and the conditions under which it may be purchased will be determined in the proceeding that is the subject of the consolidated petitions for review.  The Power Subscription Strategy also provides that the Idaho Commission shall in conjunction with other state regulatory commissions, issue a recommendation to BPA concerning the allocation of federal system benefits among the regulated investor-owned utilities that choose to participate in subscription.

No other party represents the interest of the Idaho Public Utilities Commission.  Consequently, the Idaho Public Utilities Commission respectfully moves the Court for leave to intervene in this consolidated proceeding and such intervention is in the public interest.

DATED this                          day of April 1999.

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