

Law Office of William M. Eddie

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November 9, 2006

Jean Jewell, Commission Secretary
Idaho Public Utilities Commission
427 W. Washington St.
Boise, ID 83702-5983

Re: **IPC-E-06-08**

RECEIVED
2006 NOV 14 AM 9:48
IDAHO PUBLIC
UTILITIES COMMISSION

Dear Ms. Jewell:

Please find enclosed for filing an original and seven (7) copies of NW ENERGY COALITION'S APPLICATION FOR INTERVENOR FUNDING. I have included a cover page of this document to be conformed and returned to me.

Sincerely,



William M. Eddie

William M. Eddie (ISB# 5800)
ADVOCATES FOR THE WEST
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RECEIVED
2006 NOV 14 AM 9:49
IDAHO PUBLIC
UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE PETITION OF)
IDAHO POWER COMPANY FOR)
MODIFICATION OF THE LOAD GROWTH) CASE NO. IPC-E-06-8
ADJUSTMENT FACTOR WITHIN THE POWER)
COST ADJUSTMENT (PCA) METHODOLOGY)
_____)

APPLICATION FOR INTERVENOR FUNDING

Pursuant to Idaho Code § 61-617A and Rules of Procedure 161 through 165, NW Energy Coalition hereby applies for intervenor funding in this matter in the amount of \$6,646.85. This application is supported by the following Supporting Points and Authorities.

SUPPORTING POINTS AND AUTHORITIES

An award of intervenor funding in this matter is warranted under the criteria in Rule of Procedure 165. The NW Energy Coalition (or “the Coalition”) is a non-profit organization whose ability to participate in Commission proceedings in a meaningful way is limited by its modest staff and financial resources.

NW Energy Coalition’s involvement in this case contributed materially to the resolution of this matter. The Coalition’s witness Steven Weiss presented policy discussion and proposed solutions in this docket which were unique among all parties.

The issues addressed this case were of general concern to Idaho Power customers, but NW Energy Coalition's members primarily take service under Schedules 1 and 7 (residential and small commercial). The following information and statements fulfill the requirements of Rule of Procedure 162, and demonstrate that an award of intervenor funding is warranted:

1. Itemized list of expenses.

Intervenors incurred attorney fees for William M. Eddie (the undersigned) in the amount of \$6,180.00. This amount reflects 41.2 hours at \$150 per hour. Mr. Eddie's itemized hourly records are attached hereto as Exhibit 1.

In addition, the Coalition incurred the following costs:

Travel costs:

-- Airfare for Messrs. Weiss and Eddie: \$411.20

-- Ground transport and miscellaneous travel costs: \$55.65

Costs related to the time expended by Coalition employee Steven Weiss in preparing and presenting his testimony and working with counsel are waived for purposes of this application. In addition, the Coalition incurred other minor copying, postal, and telecommunication expenses which are waived for purposes of this application.

Total Fees and Costs Requested: \$ 6,646.85.

2. Statement of proposed findings.

Intervenor proposes the Commission adopt the following finding with respect to this Application:

"NW Energy Coalition's participation in this case materially contributed to Commission's decision in this matter. We find that NW Energy Coalition's requested award is reasonable in amount, and that

the costs of intervention constituted a significant hardship for intervenors. NW Energy Coalition addressed issues of concern to the general body of Idaho Power customers. Intervenor funding in the amount \$6,646.85 is awarded to NW Energy Coalition.”

3. Statement showing costs are reasonable.

The costs for which recovery is requested are reasonable. For attorney fees, NW Energy Coalition seeks recovery at an hourly rate of \$150 per hour for Mr. Eddie’s time. The Coalition submits this rate is commensurate with or below rates charged by other Boise-based attorneys of similar experience practicing in a specialized area of law. The Commission has previously granted intervenor funding for Mr. Eddie’s time at somewhat lower rates. See Order Nos. 28894, 28756, and 29505. In Order No. 30035, the Commission recently approved rates of \$175 and \$185 per hour for more senior counsel than Mr. Eddie, as part of an intervenor funding request by the Idaho Irrigation Pumpers Association. In other litigation matters, Mr. Eddie typically bills his time at \$200 per hour and higher.

Mr. Eddie reviewed his time sheets in this case and redacted hours that were arguably duplicative or otherwise unnecessary. The Coalition is seeking compensation for 41.2 hours of his time, for a total attorney fee amount of \$6,180.00. These hours and the other costs incurred by the Coalition were reasonably necessary for the Coalition’s participation in this matter.

4. Explanation of cost statement.

Payment of the requested costs would constitute a financial hardship for NW Energy Coalition. The Coalition is a non-profit (IRS 501(c)(3)) organization with an annual budget of

slightly more than \$600,000. With these limited resources to pay the salaries of eleven (11) staff members, plus overhead, the Coalition seeks to influence energy policy decisions in the four (4) northwest states through participation at state, regional (*e.g.* Bonneville Power Administration) and national venues. NW Energy Coalition would not be able to pay the attorney fees and other costs incurred in this matter without suffering financial hardship.

5. Statement of difference.

NW Energy Coalition's participation in this matter differed materially from Commission Staff's with respect to both discussion of issues and specific recommendations. The Coalition's witness Steven Weiss presented a unique policy discussion and recommendations to the Commission which differed substantially from Staff's testimony and the testimony of all other parties. The Coalition recommended the Commission adopt a load growth adjustment for the PCA which, as part of an overall rate design, would make Idaho Power Company neutral to load growth.

6 & 7. Statements of recommendation and class.

NW Energy Coalition's recommendations and positions focused on matters which impact all utility customers. NW Energy Coalition's membership includes individuals, organizations such as Idaho Rivers United and Idaho Rural Council, and thus the Coalition most directly represents the interests of residential and small commercial customers.

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CONCLUSION

The Coalition respectfully requests that the foregoing Application for Award of Intervenor Funding be granted, and that Idaho Power pay \$6,646.85 directly to Advocates for the West as counsel for the Coalition for proper distribution.

Dated: November ^{9th} 7, 2006

Respectfully submitted,



William M. Eddie

On behalf of NW Energy Coalition

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of November 2006, true and correct copies of the foregoing APPLICATION FOR INTERVENOR FUNDING were delivered to the following persons via U.S. Mail:

Jean Jewell (original + seven copies)
Idaho Public Utilities Commission
472 W. Washington St.
Boise, ID 83702

Barton Kline
Idaho Power Company
P.O. Box 70
Boise, ID 83707-0070

Scott Woodbury
Deputy Attorney General
Idaho Public Utilities Commission
472 W. Washington St.
Boise, ID 83702

Peter Richardson
Richardson & O'Leary
515 N. 27th St.
Boise, ID 83702

Lawrence Gollomp
Assistant General Counsel
U.S. Dept. of Energy
1000 Independence Ave., SW
Washington, DC 20585

Dale Swan
Exeter Assoc., Inc.
5565 Sterret Place, Suite 310
Columbia, MD 21044

A handwritten signature in black ink, appearing to be 'DS', is written over a horizontal line.

**Hours Expended by William M. Eddie
IPC-E-06-08 Matter**

5/16/2006	review filings in load growth adjustment and related cases; tc w/ R.Cavanagh, A.Chang; IPC re: same	2.1
5/23/2006	emails w/ NRDC and NWECC re: intervention and case status	0.6
5/30/2006	prepare and attn re: filing intervention petition; email w/ N.Hirsh re: same	1.1
6/29/2006	teleconf w/ S.Weiss, N.Hirsh et al re: LGA case strategy	0.8
7/6/2006	tc w/ R.Cavanagh re: LGA case, decoupling status	0.3
7/14/2006	review filing and PCA orders and methodology; draft memo to NWECC on issues, strategy	1.5
7/19/2006	draft memo to NWECC on strategy and status, background and issues	2.9
7/20/2006	draft memo to NWECC on strategy and status, background and issues; draft email to NWECC re: same	2.2
8/7/2006	draft production requests and review ICIP requests; email to NWECC staff re: same	0.9
9/1/2006	draft update email to NWECC, proposed testimony	0.3
9/8/2006	tc w/ S.Weiss re: testimony, process	0.8
9/11/2006	draft questions for S.Weiss testimony	1.3
9/12/2006	review and edit S.Weiss testimony; revise and draft questions on same and email to S.Weiss re:same	2.3
9/14/2006	review and edit S.Weiss testimony; tc w/ S.Weiss re: same; review ICIP testimony	3.5
9/15/2006	tcs w/ S.Weiss re: testimony; edit and review; attn re: finalizing and filing (coordinate w/L.Eijkelhof	2.9
9/19/2006	draft change of address notice and attn re: file and serve	0.4
9/28/2006	review Hessing testimony and all discovery responses; draft second production requests to IPC; email to S.Weiss re: IPC's request to NWECC and outline response on same; tc w/ S.Weiss re: response to IPC request	1.7
9/29/2006	finalize and attn re: mailing NWECC's response to IPC prod and NWECC's second prod requests to IPC; email to all counsel re: same	0.9



10/5/2006	tcs w/ R.Cavanagh, S.Weiss re: testimony, status, interaction w/ decoupling case; email to R.Gale re: same	0.9
10/9/2006	review Weiss testimony; tc w/ R.Gale re: same; draft email to S.Weiss re: conversation w/ R.Gale; tc w/ S.Weiss re: same	1.1
10/17/2006	tc w/ R.Gale and B.Kline re: status of FCA, LGA matters	0.3
10/18/2006	review and edit S.Weiss rebuttal	0.5
10/19/2006	review and edit S.Weiss rebuttal; tc w/ S.Weiss re: same	0.8
10/20/2006	finalize testimony and attn re: filing	0.4
10/23/2006	review Said rebuttal	0.3
10/27/2006	tc w/ S.Weiss re: cross, upcoming hearing; review Said Rebuttal and exhibits; review Weiss notes re: same	1.2
10/29/2006	prep for hearing; tc w/ S.Weiss re:same; travel to BOI for same	3.5
10/30/2006	prep for and attend hearing at PUC; confs w/ S.Weiss re: same	5.7
	Total =	41.2