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IDAHO PUBLIC  
UTILITIES COMMISSION

Attorney for Idaho Conservation League

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE )  
APPLICATION OF IDAHO POWER )  
COMPANY FOR AUTHORITY TO )  
CONVERT SCHEDULE 54-FIXED )  
COST ADJUSTMENT-FROM A PILOT )  
SCHEDULE TO AN ONGOING, )  
PERMANENT SCHEDULE )

CASE NO. IPC-E-11-19  
  
APPLICATION FOR  
INTERVENOR FUNDING

COMES NOW, the Idaho Conservation League (“ICL”), pursuant to Idaho Code § 61-617A and IDAPA 31.01.01.161–165 with the following application for intervenor funding. On November 16, 2011 in Order No 32402, the Commission granted ICL’s intervenor status.

**I. Idaho Code § 61-617A and IDAPA Rule 31.01.01.161 Requirement**

Idaho Power Corporation, is a regulated public utility with gross Idaho intrastate, annual revenues exceeding three million, five hundred thousand dollars (\$3,500,000.00).

**II. IDAPA Rule 31.01.01.162 Requirements**

**1. Itemized list of Expenses**

The attached Exhibit A is an itemized list of expenses incurred by ICL in this proceeding.

**2. Statement of Proposed Findings**

ICL asks this Commission to approve Idaho Power’s application to make the Fixed Cost Adjustment (FCA) mechanism permanent largely in its current form. Also, ICL asks the Commission to grant this request for intervenor funding to support ICL’s efforts in reviewing the

case, participating in the settlement negotiations, and filing direct and reply comments.

### **3. Statement Showing Costs**

This application is to support ICL's efforts with the assistance of our expert analyst Carl Linvill PhD, in reviewing the case, participating in the settlement negotiations, and filing direct and reply comments. Initially ICL retained the services of Dr Linvill to provide expert testimony during an evidentiary hearing. When the parties agreed to adopt a modified procedure ICL limited our expenses with Dr Linvill, but relied on him to formulate our direct and reply comments.

ICL requests \$ 10,000 in intervenor funding, as shown in Exhibit A, for attorney's fees and expert assistance costs. Both the hourly rate and hours expended are reasonable for this complex case and inline with the current range for other intervening parties. The expert witness fees are not an hourly rate, rather a block amount based on work actually preformed. ICL's request is rounded down from the totals shown on Exhibit A for ease of accounting.

### **4. Explanation of Cost Statement**

ICL is a nonprofit organization supported solely through charitable donations from foundations and our members. In this proceeding, ICL represents its member and supporters who are ratepayers of Idaho Power, as well as those who have an interest in promoting energy efficiency throughout Idaho. To provide consistent, professional, and impactful advocacy for our members and supporters ICL has shifted its budgeting to dedicate a full-time, highly trained staff member to energy issues. The cost of employing and training this staff member is a significant financial commitment in a time of difficult fundraising. Because charitable contributions are inherently unstable, the availability of intervenor funding is essential for ICL to

participate in these in proceedings.

## **5. Statement of Difference**

As is clear in the filing in this case ICL's proposed findings are materially different than the Staff. ICL proposed the Commission adopt Idaho Power's FCA mechanism in largely its current form. The Commission Staff proposed a substantial change to the mechanism by limiting the FCA recovery to 50% of the balancing account. Along with this fundamental difference in the scope and structure of the FCA mechanism, ICL made a few other unique proposals. ICL proposed a finding that that FCA is a risk mitigation tool and proposed a method to share this benefit with ratepayers. Staff did not comment on these proposals, nor offer any of their own proposals on this issue. ICL also proposed a method to incent Idaho Power to fully pursue their enhanced commitment towards non-programmatic energy efficiency efforts. The Staff did not make any proposal on this issue. ICL contributed different evidence and arguments than the Staff to provide the Commission with additional material to consider during the decision making process.

## **6. Statement of Recommendation**

ICL's proposed findings address issues of concern for all of Idaho Power's customers. The FCA mechanism directly concerns all residential and small commercial customers as they are subject to the rate impacts of the mechanism. ICL also argued through out comments the FCA concerns all utility customers because it spurs greater energy efficiency, mitigates risks, and incents the Company to control costs. Whether individual customers participate or not, they all benefit from cost effective energy efficiency programs that delay or defer expensive supply side resources. Likewise, to the extent the FCA mitigates risks, all customers benefit eventually

through reduced revenue requirements. Finally, all customers benefit when a utility's incentives are directly aligned with controlling costs on a daily basis. ICL's proposed findings in this case would result in all of these benefits accruing to the entire body of customers in some form or another.

**7. Statement Showing Class of Customer**

ICL's has individual member and supporters who are residential customers of Idaho Power in Idaho.

WHEREFORE, ICL respectfully requests the Commission grant this application.

DATED this 21th day of March 2012.

Respectfully submitted,



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Benjamin J. Otto  
Idaho Conservation League

**EXHIBIT A**

**Expert Fees Carl Linvill PhD – \$3000**

**Attorney Fees for Benjamin J. Otto – Total: \$7,156.25**

57.25 Hours at \$125 per hour

10/31/11	Review application and initial testimony	1.5
11/16/11	Prepare application to intervene, File same	.75
12/5/11	Meet with Linvill re possible expert assistance. Draft contract re same	1.75
12/9/11	Compile case documents, research and data send to Linvill	.75
12/16/11	Review Staff production request to Idaho Power	.25
1/16/12	Review Idaho Power responses to Staff production request	1.5
1/16/12	Research options for decoupling mechanisms	4.5
1/17/12	Research options for decoupling mechanisms	5.25
1/24/12	Review Linvill evaluation of the case and proposals	2.5
1/26/12	Meet with Linvill to discuss evaluation and develop ICL proposals	1.25
1/27/12	Meet with Parties re settlement	2.25
2/7/12	Draft comments	3.5
2/10/12	Meet with staff to discuss issues	1.5
2/27/12	Draft comments	3.25
2/29/12	Draft comments	3.75
3/1/12	Final draft of comments. File same	6
3/2/12	Review Staff comments	.75
3/3/12	Research re staff comments and implications for mechanism	2.5
3/8/12	Conference with Linvill re: reply comments	.5
3/12/12	Draft reply comments	6
3/13/12	Draft reply comments	3.25
3/15/12	Final draft of reply comments. File same	2.5
3/20/12	Prepare application for intervenor funding	1.5
Total Hours		57.25

## CERTIFICATE OF SERVICE

I hereby certify that on this 21th day of March 2012, I delivered true and correct copies of the foregoing APPLICATION FOR INTERVENOR FUNDING OF THE IDAHO CONSERVATION LEAGUE to the following via the method of service noted:

### Hand delivery:

Jean Jewell  
Commission Secretary (Original and seven copies provided)  
Idaho Public Utilities Commission  
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Boise, ID 83702-5983

### Electronic Mail:

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Benjamin J. Otto