

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF IDAHO POWER COMPANY FOR)	CASE NO. IPC-E-16-23
AUTHORITY TO INCREASE RATES DUE)	
TO REVISED DEPRECIATION RATES FOR)	ORDER NO. 33710
ELECTRIC PLANT-IN-SERVICE)	

On October 21, 2016, Idaho Power Company filed an Application asking the Commission to adopt revised depreciation rates for its electric plant-in-service and correspondingly adjust Idaho jurisdictional base rates. Application (Case No. IPC-E-16-23) at 1. The Company concurrently filed an Application for authority to (1) accelerate the depreciation schedule for the North Valmy power plant; (2) establish a balancing account to track the incremental costs and benefits associated therewith; and (3) adjust customer rates to recover the associated incremental annual levelized revenue requirement. Application (Case No. IPC-E-16-24) at 1. With the filings, the Company intends to facilitate a single rate change for customers.

The Commission issued Orders providing Notice of the Applications, setting a deadline for interventions, and directing the parties to confer about a schedule for the cases. Order Nos. 33650, 33652. The Commission granted timely-filed motions to intervene in both cases from the Idaho Irrigation Pumpers Association, Inc., Micron Technology, Inc., and the U.S. Department of Energy and the Federal Executive Agencies. Order Nos. 33659, 33660, 33670, 33671, 33673 and 33674. The Commission also granted intervention to Idaho Conservation League and Sierra Club in the North Valmy case, and to the Industrial Customers of Idaho Power (ICIP) in the Revised Depreciation case. Order Nos. 33672 and 33676.

The parties conferred informally and agreed to a schedule to process the matter under Modified Procedure. The Commission issued an Order adopting the proposed schedule on January 17, 2017. Order No. 33690. As part of the schedule, the parties agreed to meet on February 2 to discuss negotiated solutions in both cases. *See id.* at 2. Because the parties in the Revised Depreciation case are not identical to the parties in the Valmy case, the parties acknowledged that settlement discussions will need to be conducted separately, and parties must be mindful of confidentiality requirements in Rule 272.

On January 18, 2017, ICL and Sierra Club filed a joint petition for late intervention in the Revised Depreciation case, which it supplemented with an addendum on January 24. (ICL

and Sierra Club stated that the addendum was filed “to more clearly state for the record the direct and substantial interest of Sierra Club’s members in this docket.”) The Commission received no objections to the petition for late intervention by the January 25 deadline per Rule 75.

LATE PETITIONS TO INTERVENE

Commission Rules provide that a petitioner seeking intervention must state its “direct and substantial interest . . . in the proceeding.” IDAPA 31.01.01.072. Petitions to intervene that are not timely filed “must state a substantial reason for delay.” IDAPA 31.01.01.073. “The Commission may deny or conditionally grant petitions to intervene that are not timely filed for failure to state good cause for untimely filing, to prevent disruption, prejudice to existing parties or undue broadening of the issues, or for other reasons.” *Id.* Also, “Intervenors who do not file timely petitions are bound by orders and notices earlier entered as a condition of granting the untimely petition.” *Id.*

ICL AND SIERRA CLUB’S PETITION FOR INTERVENTION

ICL states that it has a direct and substantial interest in the Revised Depreciation case because of the impact caused by the revised depreciation rates contemplated in Idaho Power’s filing on ICL’s members served by Idaho Power, and also based on ICL’s “long-term role advocating for public values” as Idaho’s largest state-based conservation organization. Petition at 2. Sierra Club asserts it has a direct and substantial interest in this proceeding because of the matter’s impact on its members who are customers of Idaho Power. Addendum to Petition.

ICL and Sierra Club (“Petitioners”) state that they did not previously petition to intervene because they intended to focus resources on their “primary interest, the North Valmy docket.” Petition at 1. However, Petitioners believe that the other parties’ negotiations in the Revised Depreciation docket may impact their interests in the North Valmy case. *Id.* at 1-2. Further, the Petitioners believe that their intervention in both matters could simplify settlement discussions in the cases, as well as “promote judicial efficiency and encourage settlement of the issues.” *Id.* at 2. For these reasons, the Petitioners assert they have good cause for their late intervention. Finally, both Petitioners assert that their intervention “will not unduly broaden the issues or delay the proceeding.” *Id.* at 3.

COMMISSION FINDINGS

We find that no party opposed this late Petition to Intervene.

We further find, based on the pleadings and other documents filed in this case, that intervention by ICL and Sierra Club would serve the purposes of intervention as described by Rule 74 of the Rules of Procedure, IDAPA 31.01.01.074. We also find that granting late intervention as requested will not prejudice any party, thus late intervention should be granted. As set forth in Rule 73, IDAPA 31.01.01.073, ICL and Sierra Club “are bound by orders and notices earlier entered as a condition of granting the untimely petition” including, but not limited to, the scheduling Order issued on January 17, 2017. Order No. 33690.

ORDER

IT IS THEREFORE ORDERED that the Joint Petition to Intervene filed by ICL and Sierra Club is hereby granted.

IT IS FURTHER ORDERED that all parties in this proceeding serve all papers hereafter filed in this matter on all parties of record. This intervenor is represented by the following for purposes of service:

Benjamin J. Otto
Idaho Conservation League
P.O. Box 844
Boise, ID 83701

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Travis Ritchie

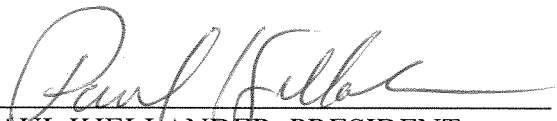
Sierra Club

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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this *2nd*
day of February 2017.



PAUL KJELLANDER, PRESIDENT




KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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