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Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-007

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IDAHO PUBLIC
UTILITIES COMMISSION

Honorable Commissions:

Intervener, Timothy J. Shurtz, respectfully requests reimbursement and compensation for the intervention activities in Case No. PAC-E-02-1, under provisions of IDAPA 31.01.01, under commission rules of procedure 161-170.

Rule procedure 162.01. Itemized list of expenses in Case PAC-E-02-1.

List of Time and Activities Involved with Case PAC-E-02-1

February 19, 2002	16 hours	Pre-Conference Hearing and Negotiations.
February 25, 2002	3.5 hours	Met with Kathaleen Lewis, Executive Director of South East Idaho Council of Governments.
February 25, 2002	.5 hour*	Talked with Commission Staff, Ron Law.
February 25, 2002	1 hour	Discussed ramifications of case with the Firth City Council.
February 26, 2002	.5 hour*	Talked with Commission Staff, Ron Law.

*cc: JL
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March 4&5, 2002	1 hour*	Worked with Scott Woodbury.
March 8, 2002	2.5 hours	Studied PacifiCorp documents provided by Douglas Larson, V.P. Regulation of Utah Power.
March 11, 2002	.5 hour*	Talked with Commission Staff, Ron Law.
March 11, 2002	4 hours	Made inquiry for legal services.
March 12, 2002	2 hours	Had initial consultation with Alva Harris, attorney.
March 13, 2002	1 hour*	Talked with Jeanine Brandies, AARP for possible help on case.
March 13, 2002	2 hours	Studied merger Case No. PAC-E-99-1.
March 14, 2002	3 hours	Prepared information on case for AARP national office.
March 15, 2002	6 hours	Preparation of Petition of Clarification and consultation with lawyer on petition.
March 18, 2002	.5 hour*	Consultation with Commission Staff, Ron Law and Scott Woodbury.
March 18, 2002	4 hours	Preparation of Final Petition of Clarification and made copies for all parties.
March 19, 2002	14 hours	Settlement Conference at Idaho Public Utilities Commission office in Boise.
March 19, 2002	2.5 hours	Met with Jeanine Brandeis, AARP asking for assistance in this case.
March 25, 2002	3.5 hours	Traveled to and from Pocatello; met with Senator Mike Crapo's Aide.
March 26, 2002	5 hours	Received Draft #2 of proposed stipulation; studied and consulted with all parties (conference call).

April 12, 2002	4 hour	Studied Proposed Final Stipulation.
April 12, 2002	1 hour	Met with Gilbert Dayley and discussed internet research information dealing with historical facts in this case.
April 15, 2002	1 hour*	Talked with Bob Lively, Utah Power.
April 16, 2002	.75 hour*	Talked with Commission Staff, Randy Lobe and Ron Law.
April 16, 2002	.5 hour	Talked with NuWest; stipulation.
April 17, 2002	.5 hour	Talked with Bob Lee.
April 18, 2002	.5 hour	Talked with Congress Mike Simpson's staff.
April 18, 2002	.5 hour*	Talked with Northwest Industrial's staff.
April 18, 2002	.5 hour*	Talked Energy Strategies, Utah.
April 18, 2002	1 hour*	Talked with Michael Carp, energy advocate on utility case.
April 18, 2002	.5 hour*	Talked with Wes Clinton of Utah Farm Bureau.
April 19, 2002	.75 hour*	Talked with Lyn Tominaga of Idaho Farm Bureau.
April 19, 2002	1 hour*	Talked with Tim Summer of Wyoming AARP; re: Wyoming case.
April 19, 2002	2 hours	Researched Oregon case on internet; UM 855.
April 19, 2002	5 hours	Met with Gilbert Dayley and Alva Harris; discussed case, reviewed information, and prepared for hearings.
April 23, 2002	.5 hour	Talked with Representative Lindford.
April 23, 2002	3 hours	Prepared and gave presentation to South East Idaho Council of Governments.
April 24 & 25, 2002	1 hour	Drafted and faxed Request for Continuation to all parties.
April 26, 2002	4.5 hours	Studied Wyoming Case information from Tim Summer, AARP and internet.
April 29, 2002	.5 hour	NuWest Stipulation.
April 30, 2002	9 hours	Prepared and composed Written Testimony of Timothy Shurtz for the Evidentiary Hearing.
April 30, 2002	.5 hour*	Talked with Ron Law and Scott Woodbury.
April 30, 2002	.5 hour*	Faxed lawyer's request for continuance.



May 1, 2002	.5 hour*	Talked with Commission Staff, Ron Law & Scott Woodbury.
May 1, 2002	3.5 hours	Studied testimony and exhibits by PacifiCorp.
May 2, 2002	2.5 hours	Copied, prepared, and mailed testimony to all parties.
May 2, 2002	5.5 hours	Studied and researched testimony given for New West by Conley E. Ward; and Commission Staff testimony of Randy Lobe.
May 2, 2002	1.5 hours	Talked with Stan Searle, Bingham County Farm Bureau President.
May 2, 2002	.5 hour*	Talked with Commission Staff, Ron Law and Scott Woodbury.
May 3, 2002	.5 hour	Talked with Bob Lee and Mrs. Lee.
May 3, 2002	.75 hour*	Talked with Lyn Tominaga of Farm Bureau re: testimony.
May 6, 2002	4.5 hours	Prepared research and strategies for Public Hearing in Rigby, Idaho.
May 6, 2002	6 hours	Traveled to and from Rigby; and participation in Public Hearing.
May 7, 2002	14 hours	Traveling to and from Preston; participation in Evidentiary Hearing and public Hearing.
	152 hours	Total

Record of Miles

1070	(2) trips to Boise: Pre-Conference Hearing and Negotiations, /Meridian—AARP.
168	(2) trips to Pocatello: SEICG, and Senator Crapo's office.
60	(6) trips to Shelley: consult with lawyer.
60	(1) trip to Rigby: Public Hearing.
243	(1) trip to Preston: Evidenturey/Public Hearing.
1601	Total miles @ .366/mile, \$585.00.

Record of Meals

February	\$11.60 w/tip	Boise Ihop
March	\$12.10 w/tip	Boise Perkins
May	\$32.00 w/tip	Preston (2) meals
	\$55.70	Total

Mail Expense: \$24.99

Telephone Expenses: 11.75 hours @ .04/minute, \$28.20.

Time 152 Hours @ \$40.00/hour, \$6080.

Legal Expenses to Attorney Alva Harris
171 S. Emerson Ave.
Shelley, ID 83274

20 hours @ \$125.00/hour, \$2500.00.

Expenses for Assistant Services to Gilbert Dayley
264 N. 4000E.
Rigby, ID 83442

15 Hours @ 40.00/hour, \$600.00.

Expenses for clerical assistance to Marlene Shurtz
411 S. Main
Firth, ID 83236

Preparation of Intervener document for Intervener Funding.
12 Hours @ 25.00/hour, \$300.00.

Total reimbursement request \$10,173.89.

Note: Honorable Commission, these expenses are the only ones connected directly to the case. They do not include many hours dealing with public information and notification of the proposed cost recovery by Utah Power. They do not include time spent working with legislators and other government leaders on a one to one basis. I have submitted this list of expenses trusting on your judgement as to what remuneration I and my staff should receive. I would make one request though that the charges concerning Mr. Gilbert Dayley and Mr. Alva Harris be honored before any remuneration to myself that in your judgement I may be entitled.

162.02 Statement of Proposed Findings.

I feel that all expenses and charges in 162.01 are just in cost. I request that the Commission pay the total of \$10,173.89; for intervention in Case PAC-E-02-1.

162.03 Statement Showing Cost.

I base these charges on previous intervener charges that have been submitted to the Commission. These costs included IRS allowances for mileage, cost per minute from a phone card, and recommendation from Commission Staff. Other advocacy groups recommended a much higher rate. I feel the advise given to me by Commission Staff is fair and reasonable.

162.04 Explanation of Cost Statement.

Intervener Timothy J. Shurtz, earned a total of \$32,000 in the year 2001 before standard deductions. This case put a hardship on my availability to work. I have had one day off since entering this case in which I was working either at my place of employment or working on this case. I have also had to give up family time and forgo other activities to meet the demands of this case. This case at times has been very stressful and challenging in all aspects of my personal and public life. It also has caused strain at work trying to balance the needs of this case and the needs of my profession. For these reasons, I feel fully justified in the charges I have submitted to the Commission.

162.05 Statement of Difference.

I differed from the Staff based on my opinion and other opinions expressed in Utah Power's recovery of cost request. I felt that Condition #2 of the Merger Agreement prohibited the Recovery Cost. I also felt that the Hunter Outage was the responsibility of the company. As testified, I feel that this Cost Recovery was piece mill rate making, and that before Utah Power recovered any money they should file a General Rate Case before the commission versus the piece mill approach. For those reasons, I declined to sign the stipulation as signed by the commission staff.

162.06 Statement of Recommendation.

As made clear to the Commission at the hearings, most customers of Utah Power felt that the Recovery of Costs as proposed by Utah Power were unjust. Most of the customers who testified at the hearings felt that Utah Power had broken their promise given in writing in condition #2 in the Merger Agreement, and other verbal promises given to them personally and through the media. The customers felt this Recovery of Costs was a retroactive rate increase. Another concern was: should the customer pay for the management mistakes of the new management at PacifiCorp. They felt that none of these charges were just or fair. I felt that my participation as an intervener brought all these concerns to the attention of the commission, and that without my participation, the public would have remained largely uninformed and would not have participated in this case. As stated in my testimony, my recommendation to the commission would be to deny recovery of costs to Utah Power based on the public's perception of the rate moratorium and verbal promises given to Senator Lee and promises made through the media to the public. Also if in the commissions opinion, Utah Power is entitled to some recovery of costs, it should be decided by a general rate case and not this piece mill rate making.

162.07 Statement Showing Class of Customer.

Based on the public hearings, I felt that I represented a very wide class of customers: residential, business, and farming. I was the only intervener that was a residential customer, and worked for a business that would have been effected. I involved the Farm Bureau in this case thanks to the help of Representative Ulea Lea Lindford. I helped inform the public through many hours of work with the media. I involved members of the Idaho legislature in the public hearings. With the public response to my efforts, I felt that I represented the average customer of Utah power. I was responsible for notifying NuWest of the potential liabilities in this case. As I did many other businesses, local governments, and residential customers who would have been unaware of their potential liabilities in this case.

Conclusion:

While this case was very stressful and demanding of me and my family, I am honored to have had the privilege of working with all the individuals involved in this case. I found the representatives for Utah Power to be honorable and good men. I also enjoyed working with the other interveners in this case. But most of all, I must praise the work and concern that the Commission Staff put forward in my behalf, specifically: Ron Law, Scott Woodbury, Randy Lobe, Jean D. Jewel, and the other secretarial staff. These are outstanding examples of what state employees should be. I also wish to thank each of you commissioners personally for the work you do every day on behalf of the people of Idaho. I am honored to have had the privilege of associating with you. I look forward to working with you for the good of Idaho in the future. I respectfully submit this application for intervener funds, knowing that you will base your decisions on what is reasonable and fair for the intervener cost.

Sincerely,



Timothy J. Shurtz
411 S. Main
Firth, ID 83236

Certificate of Service

cc: Doug Larson
Vice president Regulation
Pacifcorp
210 S Main, Suite 2300
Salt Lake City, UT 84140

John Eriksson
Stoel Rives Llp
201 S Main St. Ste 1100
Salt Lake City, UT 84111

Randall C Budge
Rancine Olson Nye Budge & Bailey
PO Box 1391
Pocatello, ID 83204-1391

James R Smith
Monsanto Company
PO Box 816
Soda Springs, ID 83276

Eric L Olsen
Racine Olson Nye Budge & Bailey
PO Box 1391
Pocatello, ID 83204-1391

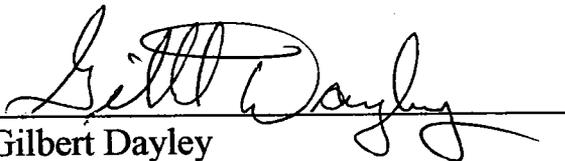
Conley Ward
277 North 6th Street, suite 200
PO Box 2720
Boise, ID 83701

May 13, 2002

Time & expense report for assisting Mr. Tim Shurtz, intervener, with Case No. PAC - 02-1.

Expenses for : Gilbert Dayley

Date: April 19, 2002	4.0 hours	research internet information
April 23, 2002	5.0 hours	meeting with attorney et.al. discuss and draft notice
May 2, 2002	2.0 hours	notice of meeting and info to Rigby senior citizens
May 6, 2002	4.0 hours	research, develop strategies
Total	<u>15.0 hours</u>	@ \$40.00 = \$600.00



Gilbert Dayley
264 North 4000 East
Rigby, Idaho 83442