

Brad M. Purdy
 Attorney at Law
 Bar No. 3472
 2019 N. 17th St.
 Boise, ID. 83702
 (208) 384-1299
 FAX: (208) 384-8511
bmpurdy@hotmail.com
 Attorney for Petitioner
 Community Action Partnership
 Association of Idaho

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 IDAHO PUBLIC
 UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)	CASE NO. PAC-E-05-1
PACIFICORP DBA UTAH POWER & LIGHT)	
COMPANY FOR APPROVAL OF CHANGES)	
TO ITS ELECTRIC SERVICE SCHEDULES)	COMMUNITY ACTION
)	PARTNERSHIP ASSOCIA-
)	TION OF IDAHO'S
)	PETITION FOR INTER-
)	VENOR FUNDING

COMES NOW, petitioner Community Action Partnership Association of Idaho (CAPAI) and, pursuant to Idaho Code § 61-617A and Rules 161-165 of the Commission's Rules of Procedure, IDAPA 31.01.01, petitions this Commission for an award of intervenor funding.

Rule 162 Requirements

(01) Itemized list of Expenses

Consistent with Rule 162(01) of the Commission's Rules of Procedure, an itemized list of all expenses incurred by CAPAI in this proceeding is attached hereto as Exhibit "A."

(02) Statement of Proposed Findings

CAPAI's proposed findings are set forth in the settlement agreement executed by all parties to this proceeding and which this Commission ultimately approved. Though the settlement was executed prior to filing direct testimony, CAPAI, through extensive negotiations with PacifiCorp, addressed issues of importance to the general body of PacifiCorp's ratepayers, including the Company's overall proposed rate increase and the impact it would have on its low-income customers.

As the settlement agreement reflects, CAPAI proposed an increase in the total annual funding level of PacifiCorp's low-income weatherization program by 300%. In addition, PacifiCorp agreed to adopt U.S. Department of Energy standards for energy efficiency rather than insisting upon its own standards. This change brings the Company into line with Idaho Power and Avista and facilitates the work of the community action agencies. PacifiCorp also agreed to reimburse low-income customers for 50% of refrigerators and compact fluorescent light bulbs. CAPAI's proposed findings are that the Commission adopt these changes.

It is fair to say that CAPAI's efforts and proposed findings in this case were quite similar to those in the Idaho Power and Avista general rate cases, both for which this Commission awarded intervenor funding. As in the Avista case, CAPAI was able to settle all issues prior to hearing.

PacifiCorp did not propose changes to its low-income weatherization program in its direct case. Because of its involvement in this case and negotiations with PacifiCorp, the company agreed to implement CAPAI's proposed changes to the low-income weatherization program as set forth in the settlement. Were it not for the involvement of

and negotiations by CAPAI, therefore, these changes would not have been agreed to for consideration by this Commission.

(03) Statement Showing Costs

Attached hereto as Exhibit "A" is a statement showing the costs incurred by CAPAI in this proceeding. CAPAI submits that the costs and fees incurred are reasonable. Because of the speed at which this case was settled, CAPAI's costs are considerably less in this proceeding than in Idaho Power, Avista's and United Water's general rate cases. For example, they are roughly one-half of the costs incurred in the Avista general rate case, though both resulted in a similar settlement agreement.

CAPAI did not retain an expert witness in this case, but relied upon the expertise it has acquired in recent cases and, primarily, on its legal counsel for negotiation and consultation purposes. CAPAI is on an extremely limited budget and, by necessity, must minimize its costs to the greatest extent possible.

(04) Explanation of Cost Statement

CAPAI is a non-profit corporation overseeing a number of agencies who fight the causes and conditions of poverty throughout Idaho. CAPAI's funding for any given effort might come from a different variety of sources, including governmental. Many of those funding sources, however, are unpredictable. Some contain conditions or limitations on the scope and nature of work eligible for funding. The cost to CAPAI of participating in this proceeding constitutes a significant financial hardship.

This Commission has been extremely accommodating to CAPAI's regular involvement in significant proceedings such as this, and the Commission has awarded CAPAI its reasonable costs in past rate cases. If it were not for this fact, CAPAI would

simply not be able to afford to participate and advance the interests of not only low-income ratepayers, but all ratepayers. In spite of the Commission's honorable decisions, there is never a guarantee that CAPAI will recover the costs it incurs in these proceedings. Furthermore, even if the Commission does ultimately award full recovery through intervenor funding, CAPAI must pay its costs as it goes. This is a tremendous struggle, in terms of cash-flow, for non-profits organizations, such as CAPAI, who operate on unpredictable and limited budgets.

No other intervenor in this proceeding represented, exclusively, the interests of the residential class, particularly the low-income sector of that class. CAPAI raised issues, and represented the interests of, the general body of PacifiCorp's ratepayers. For example, the low-income weatherization program for which CAPAI seeks increased funding reduces the consumption of electricity during PacifiCorp's summer peak season helping to defer the acquisition of marginally-priced resources and provides other system-wide benefits including the reduction of bad debt and arrearages.

(05) Statement of Difference

Unlike the Idaho Power, Avista and United Water general rate cases, Staff was not involved at all in the negotiations between CAPAI and PacifiCorp. There was no deliberate design accounting for this, other than the fact that Staff has demonstrated a preference to allow CAPAI to make specific proposals and fight for them on its own without intervention other than to opine, after the fact, whether CAPAI's position, falls within a range of reasonableness. Thus, it is fair to say that where CAPAI takes specific positions on issues that Staff does not address in detail, there are significant differences between CAPAI and Staff for purposes of intervenor funding requests.

(06) Statement of Recommendation

CAPAI's participation in this case addressed issues of concern to the general body of ratepayers. The problems facing PacifiCorp's low-income customers are societal problems that affect us all. Those problems, if not addressed, adversely affect all utility ratepayers in the form of increased collection and associated costs as well as the write-off of uncollectible accounts. These are costs that are passed on to all ratepayers. If low-income customers are enabled to lower their electric bills through a Company-funded weatherization program, this decreases the likelihood that they will be unable to pay their bills and, consequently, the Company avoids incurring the aforementioned costs.

Furthermore, because the low-income weatherization program is a DSM program, it represents a resource to the Company. It is in the best interests of PacifiCorp's ratepayers for the Company to have a healthy diversity of resources. By promoting the conservation of electricity consumption, the Company is able to defer the acquisition of new, marginally higher cost, resources.

This case is quite unique in comparison to past general rate cases. In both the Avista and United Water cases, CAPAI was able to reach a settlement with the utilities that was put before and approved by the Commission at hearing. In this case, CAPAI was aware that settlement negotiations were pending between PacifiCorp and certain other parties months ago. Because the substance of those negotiations did not appear relevant to CAPAI's issues, and because CAPAI was independently negotiating with the Company, joinder in those other negotiations would have resulted in unnecessary costs for CAPAI.

Once CAPAI learned that PacifiCorp intended to reach settlement on all issues in the case, CAPAI accelerated the pace of its negotiations with the Company and reached an agreement in time to become a signatory to the global settlement. CAPAI was informed that the Commission would reschedule the original prefile and hearing dates and, ultimately, schedule the hearing for the purpose of addressing the settlement. In order to minimize costs, and because it intended to participate in the hearing and testify in support of the settlement, CAPAI did not prefile any testimony regarding the settlement which it obviously supported as evidenced by its execution of the document and which it would justify at hearing. It was only after the prefile deadline for direct testimony was cancelled, did CAPAI learn that the Commission would not conduct a hearing after all.

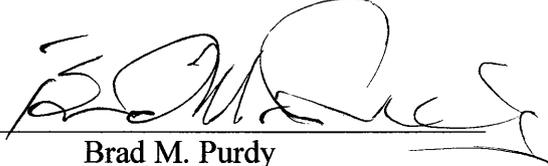
CAPAI points this out simply to establish that it did everything in its power to minimize costs, while leveraging its position in the interests of all ratepayers.

Consequently, though a hearing was never conducted, CAPAI's participation in this case contributed materially toward shaping the scope, and focus of the issues and evidence presented to the Commission and, thus, the ultimate outcome of this proceeding, by offering a perspective not offered by any other party.

(07) Statement Showing Class of Customer

To the extent that CAPAI represented a specific PacifiCorp customer class, it is the residential class.

RESPECTFULLY SUBMITTED, this 29th day of July, 2005.


Brad M. Purdy

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 27th day of July, 2005, I caused to be served the foregoing PETITION TO INTERVENE OF COMMUNITY ACTION PARTNERSHIP ASSOCIATION OF IDAHO on the following, by first class mail, postage prepaid, in Case No. PAC-E-05-1.

James M. Van Nostrand
Stoel Rives, LLP
900 SW Fifth Ave, Suite 2600
Portland, Oregon 97204

John Stewart
PacifiCorp
201 S. Main St., Suite 2300
Salt Lake City, UT 84140

Scott Woodbury
Kira Pfisterer
Idaho Public Utilities Commission
472 W. Washington St.
Boise, ID 83702

Randall C. Budge
P.O. Box 1391; 201 E. Center
Pocatello, ID. 83204-1391

James R. Smith
Monsanto Co.
Highway 34 North
P.O. Box 816
Soda Springs, ID 83276

Eric L. Olsen
201 E. Center
P.O. Box 1391
Pocatello, ID 1391

Anthony Yankel
29814 Lake Road
Bay Village, OH 44140

Conley E. Ward
601 W. Bannock St.

P.O. Box 2720
Boise, ID 83720

Dennis E. Peseau
1500 Liberty St., SE, Suite 250
Salem, OR 97302

R. Scott Pasley
999 Main St.
P.O. Box 27
Boise, ID 83707

David Hawk
999 Main St.
P.O. Box 27
Boise, ID 83707

Timothy Shurtz
411 S. Main
Firth, ID 83236


Brad M. Purdy

EXHIBIT "A"
ITEMIZED EXPENSES

Costs:

Photocopies	\$36.04
Telephone conferencing costs	\$21.63
Postage	<u>\$15.80</u>
Total Costs	\$73.47

Fees:

Legal	(Brad M. Purdy 50.70 hours @ \$120.00/hr)	\$6,084.00
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Total Fees		\$6,084.00
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Total Expenses		\$6,157.47
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