

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UE 434**

In the Matter of

PACIFICORP, dba Pacific Power

2025 Transition Adjustment Mechanism.

PETITION TO INTERVENE OF KLAMATH
BASIN WATER USERS PROTECTIVE
ASSOCIATION DBA KLAMATH WATER
USERS ASSOCIATION

Pursuant to ORS 756.525 and OAR 860-001-0300, Klamath Basin Water Users Protective Association, which does business as Klamath Water Users Association (KWUA), petitions the Public Utility Commission of Oregon to intervene in this proceeding with full party status. In support of this petition, KWUA represents as follows:

I. PETITIONER

Klamath Water Users Association
2312 South Sixth Street, Suite A
Klamath Falls OR 97601
Telephone: 541.883.6100
Email: assist@kwua.org

II. COUNSEL FOR PETITIONER

Paul S. Simmons, OSB 971386
Somach Simmons & Dunn, PC
500 Capitol Mall, Suite 1000
Sacramento, CA 95814
Telephone: 916.446.7979
Email: psimmons@somachlaw.com

III. THE ORGANIZATION

KWUA is a non-profit, mutual benefit with members, corporation, formed in 1953. Its members are predominantly irrigation districts, improvement districts, and similar water delivery agencies who are contractors with the United States of America, Bureau of Reclamation.

KWUA members divert and deliver irrigation water to approximately 175,000 acres of agricultural land in the Klamath Reclamation Project in southern Oregon and northern California, with over 100,000 acres being in Klamath County, Oregon. KWUA has 14 members.

The mission of KWUA is “to preserve and protect the viability of irrigated agriculture for our membership in the Klamath basin, for the benefit of current and future generations.” Among the reasons for KWUA’s incorporation in 1953 was the desire to ensure favorable power costs, and that objective continues to this day. KWUA was an intervenor in cases involving PacifiCorp rates in UE 170, UE 210, UE 374, UE 375, UE 2183, UE 399, and UE 420.

IV. APPLICANT’S INTEREST

Applicant’s members, and patrons of KWUA’s irrigation district members, use electricity to move irrigation and drainage water. The cost of electricity has a significant effect on the viability of operations. KWUA is focused primarily on interests of agricultural power users in the Klamath Project and Upper Klamath Basin area. KWUA believes that approximately half of Pacific Power’s Schedule 41 customers are in the Klamath Basin.

V. ISSUES

The Transition Adjustment Mechanism (TAM) proposed for approval in UE 434 represents a very slight decrease in the costs of irrigation pumping compared to the 2024 TAM. This comes on the heels of significant power cost increases under the 2023 and 2024 TAMS and in parallel with the dramatic proposed general rate increase in UE 433. Total power costs have significant consequences for Applicant and its members and irrigation water users throughout Oregon.

Applicant has begun its investigation of the justification for the proposed TAM and anticipates that it will challenge the proposed adjustment as unnecessarily small. To the best of

our knowledge, KWUA is the only organization seeking intervention to represent agricultural pumpers subject to Schedule 41.

Dated this 26th day of February 2024.

s/ Paul S. Simmons

Paul S. Simmons, OSB No. 971386

Somach Simmons & Dunn, PC

500 Capital Mall, Suite 1000

Sacramento, CA 95814

Telephone: 916.446.7979

Email: psimmons@somachlaw.com