Davison Van Cleve PC

Attorneys at Law TEL (503) 241-7242 • FAX (503) 241-8160 • mail@dvclaw.com Suite 400 333 SW Taylor Portland, OR 97204

May 2, 2012

Via Electronic and US Mail

Public Utility Commission Attn: Filing Center 550 Capitol St. NE #215 P.O. Box 2148 Salem OR 97308-2148

In the Matter of IDAHO POWER Request for a General Rate Increase. Re: Docket No. UE 233 Phase II

Dear Filing Center:

Enclosed please find the original and one (1) copy of the Petition to Intervene on behalf of the Industrial Customers of Northwest Utilities in the above-referenced docket.

Thank you for your assistance.

Sincerely,

/s/ Sarah A. Kohler Sarah A. Kohler

Enclosures cc: Service List

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Petition to

Intervene on behalf of the of the Industrial Customers of Northwest Utilities upon the parties, on

the service list, by causing the same to be deposited in the U.S. Mail, postage-prepaid, and via

electronic mail.

Dated at Portland, Oregon, this 2nd day of May, 2012.

Sincerely,

<u>/s/ Sarah A. Kohler</u> Sarah A. Kohler

(W) PACIFIC POWER & LIGHT SARAH WALLACE 825 NE MULTNOMAH, SUITE 1800 PORTLAND OR 97232 sarah.wallace@pacificorp.com

(W) PUBLIC UTILITY COMMISSION ERIK COLVILLE JUDY JOHNSON PO BOX 2148 SALEM OR 97308-2148 erik.colville@state.or.us judy.johnson@state.or.us

(W) OREGON DEPARTMENT OF JUSTICE JANET L PREWITT NATURAL RESOURCES SECTION 1162 COURT ST NE SALEM OR 97301-4096 janet.prewitt@doj.state.or.us

(W) JOSHUA D JOHNSON

ATTORNEY AT LAW 101 S. CAPITOL BLVD., STE 300 BOISE ID 83702 jdj@racinelaw.net

(W) CITIZENS' UTILITY BOARD OF OREGON OPUC DOCKETS ROBERT JENKS

G. CATRIONA MCCRACKEN

(W) **PACIFICORP** R BRYCE DALLEY

OREGON DOCKETS 825 NE MULTNOMAH ST STE 2000 PORTLAND OR 97232 bryce.dalley@pacificorp.com oregondockets@pacificorp.com

(W) PUC STAFF – DEPARTMENT OF JUSTICE BUSINESS ACTIVITIES SECTION STEPHANIE S ANDRUS 625 MARION ST NE SALEM OR 97301 stephanie.andrus@state.or.us

(W) DON READING

6070 HILL ROAD BOISE ID 83703 dreading@mindspring.com

(W) ERIC L OLSEN

ATTORNEY AT LAW 201 E CENTER ST POCATELLAO ID 83201 elo@racinelaw.net

(W) **IDAHO POWER COMPANY** CHRISTA BEARRY LISA D NORDSTROM PO BOX 70

PAGE 1 – CERTIFICATE OF SERVICE

610 SW BROADWAY, STE 400 PORTLAND OR 97205 dockets@oregoncub.org bob@oregoncub.org catriona@oregon.org

(W) MCDOWELL & RACKNER PC LISA F RACKNER 419 SW ELEVENTH AVE - SUITE 400 PORTLAND OR 97205 dockets@mcd-law.com

(W) RICHARDSON & O'LEARY

PETER J RICHARDSON GREG M ADAMS PO BOX 7218 BOISE ID 83702 peter@richardsonandoleary.com greg@richardsonandoleary.com BOISE ID 83707-0070 cbearry@idahopower.com lnordstrom@idahopower.com

(W) PORTLAND GENERAL ELECTRIC

RANDY DAHLGREN - 1WTC0702 DOUGLAS TINGEY- 1WTC13 121 SW SALMON ST PORTLAND OR 97204 pge.opuc.filings@pgn.com doug.tingey@pgn.com

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UE 233 Phase II

In the Matter of)	
IDAHO POWER))	PETITION TO INTERVENE OF THE INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES
Request for a General Rate Revision.))	
-)	

Pursuant to ORS § 756.525 and OAR § 860-001-0300(2), the Industrial

Customers of Northwest Utilities ("ICNU") petitions the Public Utility Commission of Oregon

("Commission") to intervene in this proceeding. ICNU waives paper service of all non-

confidential filings. In support of this petition, ICNU represents as follows:

1. The business address of ICNU is:

Industrial Customers of Northwest Utilities 818 SW 3rd Avenue #266 Portland, OR 97204

2. ICNU will be represented in this proceeding by Davison Van Cleve P.C.

All documents relating to these proceedings should be served on ICNU's attorneys and

consultant at the following addresses:

Melinda J. Davison Irion A. Sanger Davison Van Cleve, P.C. 333 S.W. Taylor, Ste. 400 Portland, OR 97204 E-mail: mjd@dvclaw.com ias@dvclaw.com Telephone: (503) 241-7242 Facsimile: (503) 241-8160

Donald W. Schoenbeck Regulatory & Cogeneration Services, Inc. 900 Washington Street, Suite 780 Vancouver, WA 98660 E-Mail: dws@r-c-s-inc.com Telephone: (503) 232-6155 Facsimile: (360) 737-7628

PAGE 1 – PETITION TO INTERVENE OF ICNU

3. ICNU is an incorporated, non-profit association of large industrial electric customers in the Pacific Northwest, with offices in Portland, Oregon. A list of ICNU members is included as Attachment A.

4. On July 29, 2011, Idaho Power Company ("Idaho Power") filed for a \$5.8 million Oregon rate increase. ICNU did not intervene in the case at that time, as Idaho Power does not directly serve any of ICNU's members. On February 23, 2012, the Oregon Public Utility Commission ("OPUC" or the "Commission") issued an order partially adopting a stipulation of the parties and indicating that a second phase of the proceeding would be required to address unresolved issues, including certain coal plant pollution control investments regarding the Company's Jim Bridger Plant. On March 6, 2012, the Commission issued a prehearing conference order opening Phase II of this docket.

On April 19, 2012, PacifiCorp intervened in Phase II, arguing that it is directly affected by the Commission's decision regarding the prudence of the Bridger investments. The Citizens' Utility Board of Oregon ("CUB") and the Oregon Industrial Customers of Idaho Power ("OICIP") filed objections to PacifiCorp's intervention, claiming that because the Company had not participated in Phase I, it did not have the expertise necessary to contribute to the proceeding. On May 1, 2012, the Commission granted PacifiCorp's intervention.

5. ICNU has a substantial interest in PacifiCorp's participation in this docket, as the issues PacifiCorp has intervened to address in the Idaho Power proceeding will also be addressed in its 2012 general rate case, Docket No. UE 246, in which ICNU has intervened with full party status. Thus, ICNU's interests in Phase II are essentially similar to those of

PAGE 2 – PETITION TO INTERVENE OF ICNU

PacifiCorp. ICNU requests that the Commission grant ICNU's participation in this proceeding, limited to filing briefs on the legal issues.

6. ICNU represents the interests of many of PacifiCorp's largest customers, and ICNU has extensive experience with proceedings involving PacifiCorp. Many of ICNU's members are customers of PacifiCorp, as shown on Attachment A. ICNU's intervention in this proceeding will assist the Commission in resolving the issues and will not unreasonably broaden the issues, burden the record, or delay this proceeding.

6. As described above, ICNU has a direct and substantial interest in this proceeding that will not be adequately represented by any other party, and may be affected by any Commission determination made in connection with these proceedings. It is in the public interest to allow ICNU to intervene in this proceeding.

WHEREFORE, ICNU respectfully requests that the Commission grant its petition to intervene in order to participate in the Phase II briefing process in this proceeding.

Dated this 2nd day of May, 2012.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

<u>/s/ Melinda J. Davison</u> Melinda J. Davison Irion Sanger 333 S.W. Taylor, Suite 400 Portland, Oregon 97204 (503) 241-7242 phone (503) 241-8160 facsimile mjd@dvclaw.com ias@dvclaw.com Of Attorneys for Industrial Customers of Northwest Utilities

PAGE 3 – PETITION TO INTERVENE OF ICNU

DAVISON VAN CLEVE, P.C. 333 S.W. Taylor, Suite 400 Portland, OR 97204 Telephone: (503) 241-7242

ATTACHMENT A INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES

Air Liquide Air Products **Amcor Rigid Plastics** Boeing *Boise Cascade LLC *Boise Paper Certain Teed Gypsum & Ceiling Manufacturing (BPB) *ConAgra Foods Dyno Nobel, Inc. Eka Chemicals, Inc. Emerald Performance Materials, LLC Equa-Chlor, LLC Evraz, Inc. *Freres Lumber Co. *Georgia-Pacific Inland Empire Paper Co. Intel Linde, Inc. Longview Fibre Microsoft Corporation *Norpac Foods PCC Structurals, Inc. Ponderay Newsprint **REC Solar Grade Silicon LLC** SP Newsprint Shell Oil Products US Simpson Paper & Timber Tesoro Refining and Marketing Co. **Timber Products** *Wah Chang West Linn Paper Company *Weyerhaeuser

*Denotes PacifiCorp Customers