

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 233

In the Matter of

IDAHO POWER COMPANY

Request for a General Rate Revision.

RULING

DISPOSITION: GRANT OF PETITION TO INTERVENE AFFIRMED

On April 19, 2012, PacifiCorp, dba Pacific Power, filed a Petition to Intervene in this docket. On the following day, April 20, 2012, I issued a ruling finding that Pacific Power had sufficient interest in the proceedings to participate and that its participation would not unreasonably broaden the issues, burden the record, or delay the proceedings.¹ The ruling also noted that any party could object to the petition within ten days of service.²

On April 24, 2012, the Citizens' Utility Board of Oregon (CUB) and the Oregon Industrial Customers of Idaho Power (OICIP), filed joint objections to the Pacific Power petition. The objectors note the long history of this docket, the fact that Pacific Power was well aware of the subject matter of the proceeding and yet took no steps to participate at any earlier stage. They also voiced concerns that allowing intervention so late in the proceedings would set a bad precedent for future dockets. (Objections at 2-6, 10-12).

Objectors further argue that Pacific Power does not have a sufficient interest, even though it owns the majority of the Jim Bridger 3 coal plant, at issue in this phase of the proceeding, because the issue is about what Idaho Power knew or should have known at the time it invested in the pollution control equipment, and not a pre-determination of the prudence of Pacific Power's investment in that equipment. Furthermore, argue objectors, to permit its intervention would be to allow "trial by ambush." (Objections at 7-10). Objectors also assert that, since the company has filed no testimony and only intends to make legal arguments, it brings none of the required knowledge or expertise to justify intervention. (Objections at 12-13). Pacific Power filed a response on April 27, 2012, stating that it is not seeking a predetermination of the prudence of its investments in the Jim Bridger Unit 3, which is currently one of the subjects of the company's general rate

¹ See OAR 860-001-0300(7).

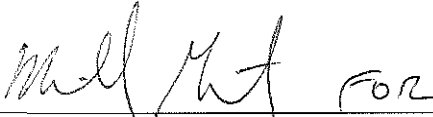
² See OAR 860-001-0300(6).

case before the Commission, docket no. UE 246. Rather, it was Pacific Power's intention to respond to CUB's April 13, 2012 supplemental testimony regarding the need to set new prudence standards for future rate cases for all electric utilities regarding coal-fired plant investments. Concerned about the setting of new precedent, Pacific Power intends to submit briefs relating to the interpretation of the prudence standard only. (Response at 1-2).

RULING

Pacific Power has shown good cause for intervening at this time. Its participation will not unduly delay the proceedings or burden the record and no party will be disadvantaged by its participation in the briefing process. The ruling of April 20, 2012 granting the petition to intervene filed by PacifiCorp, dba Pacific Power, is affirmed and it is made a party to these proceedings.

Dated this 1st day of May, 2012, at Salem, Oregon.



Allan J. Arlow
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures