

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1824

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON,

Investigation into PacifiCorp, dba Pacific
Power's Oregon-Specific Cost Allocation
Issues.

RULING

DISPOSITION: PETITION TO INTERVENE DENIED

I. INTRODUCTION

This docket was opened by Order No. 17-124 as a separate investigation into PacifiCorp, dba Pacific Power's inter-jurisdictional allocation to focus on Oregon-specific issues. Currently this is a Staff-led investigation, and it will likely transition to a contested case proceeding in 2018. As a Staff-led proceeding, parties have participated in workshops without formally intervening, and the company has engaged in discovery on a voluntary, cooperative basis.

II. PETITION TO INTERVENE, RESPONSE, AND REPLY

On May 22, 2017, Imperial Irrigation District (IID) filed a petition to intervene. IID is a public power utility located in El Centro, California, providing electric and water service to approximately 150,000 customers. IID's initial petition to intervene stated very briefly that IID has an interest in the regional development of renewable electricity resources. IID also stated that it seeks to participate in a similar proceeding before the California Public Utilities Commission (CPUC).

PacifiCorp objected to IID's intervention, stating that IID lacks a sufficient interest in this Oregon-specific proceeding. According to PacifiCorp, IID lacks a "stake in the outcome," which the Commission has required for intervention.¹ PacifiCorp explains that this proceeding addresses Oregon-specific issues related to PacifiCorp's multi-state process (MSP) cost allocation, and that IID is not a customer of PacifiCorp and has no

¹ *In the Matter of Fish Mill Lodges Water System, Application for an Order Authorizing Abandonment of Water Service*, Order No. 11-179; Docket No. UM 1489 (May 31, 2011) (the Commission declined to permit intervention when the entity represented neither the utility nor its customers and asserted no clear interest in the outcome of the case).

relationship to Oregon. PacifiCorp explains that the Commission previously denied the intervention of a PacifiCorp Utah customer due to insufficient interest in an Oregon rate case, and IID's interest in this case is even less.² PacifiCorp states that IID's position as a California public power utility lacks any connection to this proceeding. PacifiCorp concludes that IID will broaden the issues in this Oregon-specific proceeding, burden the record, and delay the proceeding, and that IID does not have special knowledge or expertise that would support its participation.

In response, IID explains that the CPUC recently launched its own investigation related to this proceeding. IID states that Oregon's rates and California's rates are related when it comes to PacifiCorp operations. IID states it has an interest in these proceedings because, when coal is removed from PacifiCorp's Oregon rates, the costs will need to be imposed somewhere else. IID notes that these proceedings have started as non-contested matters, and asks that the Commission not prematurely exclude IID from the proceedings.

III. DISCUSSION

ORS 756.525(2) allows a person to seek permission to participate in a proceeding at any time before the final taking of evidence. The Commission must consider the interests of the petitioner and grant a petition where the petitioner has sufficient interest in the proceedings and such participation will not unreasonably broaden the issues, burden the record, or delay the proceedings. Participation may be conditioned as appropriate to ensure that the intervenor's participation is consistent with these standards.

I find that IID has insufficient interest in this proceeding and therefore deny its intervention. IID has no direct interest in MSP-related proceedings because IID is not a PacifiCorp customer, in Oregon or California. Further, IID has no connection to PacifiCorp via the California Independent System Operator (CAISO) because PacifiCorp is not currently a participating transmission owner (PTO) in CAISO. IID's argument that it should not be excluded at this early Staff-led stage of the proceeding is unpersuasive in light of PacifiCorp's objection. Because this proceeding is currently Staff-led, PacifiCorp is cooperating with discovery requests on a voluntary basis, and I give more weight to the company's objection. Accordingly, IID's petition to intervene is denied.

Any party may appeal this ruling to the Commission under OAR 860-001-0110 within 15 days of the date of service of this ruling.

Dated this 13th day of July, 2017, at Salem, Oregon.



Sarah Rowe
Administrative Law Judge

² *In the Matter of the Revised Tariff Schedules in Oregon Filed by PacifiCorp, dba Pacific Power & Light Co.*, Docket No. UE 94, Order No. 95-1330 at 2 (Dec 19, 1995).