

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 219

In the Matter of:)	
)	PETITION TO INTERVENE
)	and WAIVER OF PAPER
PACIFICORP, dba PACIFIC POWER)	SERVICE
)	
)	
Application to Implement the)	
Provisions of Senate Bill 76)	

PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATIONS (PCFFA) and the INSTITUTE FOR FISHERIES RESOURCES (IFR) hereby each petition to intervene in this proceeding. In support of this petition, the following is provided:

1. The contact information (name, address, email address) of the petitioners is:

Name: Glen H. Spain, Esq, General Legal Counsel
Company: PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATIONS (PCFFA), and the INSTITUTE FOR FISHERIES RESOURCES (IFR)
Street Address: PO Box 11170
City, State, Zip: Eugene, OR 97440-3370
Email Address: fishlifr@aol.com
Telephone: (541)689-2000

Please include this contact on the Service List.

- 2a. The Petitioners WILL be represented by counsel in this proceeding. The contact information for petitioners' counsel to be included on the service list is:

Name: Glen H. Spain, Esq., General Legal Counsel
Company: PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATIONS (PCFFA), and the INSTITUTE FOR FISHERIES RESOURCES (IFR)
Street Address: PO Box 11170
City, State, Zip: Eugene, OR 97440-3370
Email Address: fishlifr@aol.com
Telephone: (541)689-2000

- 2b. Additional contacts to be included on the service list:

NONE

3. If the petitioner is an organization, the number of members in and the purposes of the organization:

PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATIONS (PCFFA) is the largest trade organization of commercial fishing families on the west coast, many of whose federation member groups are themselves, or have within them numerous individual members who are, PacifiCorp customers and ratepayers. PCFFA's member organizations and their individual group members make all or part of their livelihoods from the harvest of salmon, including salmon runs from the Klamath River. Those Klamath salmon runs – and thus this major economic interest of our organization and its members – will be affected by the Klamath Hydroelectric Settlement Agreement (KHSAs), to which PCFFA is a signatory Party, and which is the subject of SB 76.

INSTITUTE FOR FISHERIES RESOURCES (IFR), although a separate non-profit public benefit organization, serves as the research and marine conservation affiliate of PCFFA, and has the same organizational membership as PCFFA. IFR is dedicated to the protection and restoration of salmon resources in the Klamath River. This interest is similarly affected by the Klamath Hydroelectric Settlement Agreement (KHSAs), to which IFR is also a signatory Party, and which is the subject of SB 76.

A list of the PCFFA/IFR organizational members is enclosed as ATTACHMENT A. Each of these member groups in the federation also has its own individual membership, who are also considered *individual* members of PCFFA and IFR.

4. The nature and extent of the Petitioners' interests in the proceeding are:

Both PCFFA and IFR, and their members organizations as well as most of the individual fishermen members of those organizations, derive all or part of their incomes from the harvest of Pacific salmon for sale to the public. The value of these salmon harvests is greatly affected by the number of salmon produced each year by the Klamath River, which in turn is controlled in large part by the impacts of the PacifiCorp Hydroelectric Project dams within that river (Iron Gate, CopCo 1 & 2, and J.C. Boyle dams). Removal of those dams is proposed under the Klamath Hydroelectric Settlement Agreement (KHSAs), executed by numerous Parties to that document (including PacifiCorp, PCFFA and IFR) on February 18, 2010. This removal would greatly benefit the Klamath salmon runs, increasing the economic income to PCFFA, IFR and its members, both organizational and individual. SB 76 embodies an important part of the funding mechanism intended

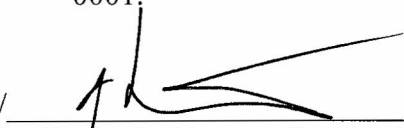
to pay for this potential future Klamath dam removal. Both PCFFA and IFR are also Interveners in the FERC Klamath Hydroelectric Project relicensing proceeding, FERC Docket No. P-2082-027.

5. The issues the Petitioner intends to raise at the proceeding are:
In general, we support the full and equitable implementation of SB 76 and the goals of the KHSA, the funding mechanism for which is embodied SB 76.
6. The special knowledge or expertise of the Petitioners that would assist the Commission in resolving the issues of the proceeding is:

Both PCFFA and IFR have been key stakeholder representatives in the negotiations which led to the Klamath Hydroelectric Settlement Agreement (KHSA) since they began in 2000, are signatory Parties to the KHSA, and are familiar with every aspect of that Agreement. Since many of our individual members are also PacifiCorp ratepayers in northern California and coastal Oregon, we also have some expertise on how SB 76 and the KHSA will affect those customers.

Both PCFFA and IFR have intervened in prior OPUC proceedings with respect to PacifiCorp, in particular in Docket Nos. UM-1209 and UE-170.

7. Based on the information provided above in accordance with the Commission's rules of procedure, we request to participate in this proceeding as interveners. I or the organizations I represent will not unreasonably broaden the issues, burden the record, or unreasonably delay the proceeding, in accordance with OAR 860-012-0001.

/s/ 
Glen H. Spain, Esq., as General Counsel
for PCFFA and IFR, as Interveners

Date signed: April 2, 2010

ATTACHMENT A

MEMBER ORGANIZATIONS OF THE PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATIONS and the INSTITUTE FOR FISHERIES RESOURCES

Commercial Fishermen's Organization of Morro Bay
Santa Cruz Fishermen's Marketing Association
Crab Boat Owners Association
Trinidad Bay Fishermen's Marketing Association
Washington Trollers Association
Moss Landing Commercial Fishermen's Association
Humboldt Fishermen's Marketing Association
Commercial Fishermen of Santa Barbara, Inc.
Half Moon Bay Fishermen's Marketing Association
Salmon Trollers Marketing Association
Monterey Fishermen's Marketing Association
Port San Luis Commercial Fishermen's Association
Small Boat Commercial Salmon Fishermen's Association
Fishermen's Marketing Association of Bodega Bay
California Herring Association
Salmon for All

Each of these federation member organizations in its turn has between several dozen to hundreds of individual commercial fishermen members who are also considered "individual members" of both PCFFA and IFR.

CERTIFICATE OF SERVICE

I, *Glen H. Spain*, hereby certify that I am over the age of 18, and that I have this day served the foregoing PCFFA-IFR PETITION TO INTERVENE AND WAIVER OF PAPER SERVICE, on behalf of both the Pacific Coast Federation of Fishermen's Associations (PCFFA) and the Institute for Fisheries Resources (IFR), upon the parties shown on the Service List attached below, either by email, or if no email address appears on the Service List or the party has not waived paper service, then by first class U.S. mail, postage pre-paid, to the postal address for the party shown below.

Dated this April 2nd, 2010, at Eugene, OR.

/s/ 
Glen H. Spain

SERVICE LIST (Parties)

W=Waive Paper service

C=Confidential

HC=Highly Confidential

Sort by Last Name

Sort by Company Name

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