

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UE 263

In The Matter Of	:	PETITION TO INTERVENE OF
PACIFICORP, dba PACIFIC POWER	:	FRED MEYER STORES, INC. A SUBSIDIARY OF
	:	THE KROGER CO. AND QUALITY FOOD
2013 Request for a General Rate Revision	:	CENTERS, A DIVISION OF THE KROGER CO.

Fred Meyer Stores, Inc. a subsidiary of The Kroger Co. and Quality Food Centers, a division of The Kroger Co. petitions to intervene in this proceeding. In support of this petition, the following is provided:

NAME OF PETITIONER: **Fred Meyer Stores, Inc. a subsidiary of The Kroger Co. and Quality Food Centers, a division of The Kroger Co.**

ADDRESS: **Attn: Corporate Energy Manager, 1014 Vine Street, Cincinnati, Ohio 45202**

PHONE NUMBER: **513-762-4538** FAX NUMBER: **513-421-2764**

E-MAIL ADDRESS: **dgeorge@kroger.com** Please do NOT include this contact on the service list.

NAME OF COUNSEL FOR PETITIONER: **Kurt J. Boehm, Esq. and Jody Kyler Cohn, Esq.**

BOEHM, KURTZ & LOWRY

COUNSEL'S ADDRESS: **36 East Seventh Street., Suite 1510, Cincinnati, OH 45202**

COUNSEL'S PHONE NUMBER: **513-421-2255**

COUNSEL'S FAX NUMBER: **513-421-2764**

COUNSEL'S E-MAIL ADDRESS: **kboehm@BKLLawfirm.com** , **jkylercohn@BKLLawfirm.com**

NAME OF CONSULTANT FOR PETITIONER: **Kevin C. Higgins – Energy Strategies Inc.**

CONSULTANT'S ADDRESS: **215 South State Street, Suite 200, Salt Lake City, UT 84111**

CONSULTANT'S PHONE NUMBER: **801-355-4365**

CONSULTANT'S FAX NUMBER: **801-521-9142**

CONSULTANT'S E-MAIL ADDRESS: **khiggins@energystrat.com**

IF THE PETITIONER IS AN ORGANIZATION, THE NUMBER OF MEMBERS IN AND THE PURPOSES OF THE ORGANIZATION:

The Petitioner is seeking intervention on its own behalf as a customer of Pacific Power & Light. Petitioner is not seeking intervention in this matter as a member of a trade group or other organization.

NATURE AND EXTENT OF THE PETITIONER'S INTEREST IN THE PROCEEDING:

Petitioner operates approximately 14 grocery and discount department stores in the service territory of Pacific Power & Light. The total load of Petitioner is approximately 10 MW. The rate increase requested by the Applicant, if approved, would result in a significant rate increase for Petitioner. Petitioner has a substantial and diverse interest in the outcome of this case that cannot be adequately represented by any other party.

THE ISSUES THE PETITIONER INTENDS TO RAISE AT THE PROCEEDING:

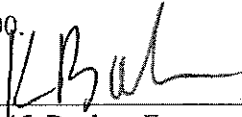
The primary issue Fred Meyer intends to address in this case will be whether the rate increase sought by the Applicant is reasonable and cost justified. We also intend to address whether the proposed allocation of the rate increase and the design of the new rates are just and reasonable.

ANY SPECIAL KNOWLEDGE OR EXPERTISE OF THE PETITIONER THAT WOULD ASSIST THE COMMISSION IN RESOLVING THE ISSUES IN THE PROCEEDING:

Kroger Co., the owner of Fred Meyer Stores and Quality Food Centers, operates in 31 states and has approximately 3500 locations nationwide. Petitioner's regulatory counsel has extensive experience in all facets of electricity law. We expect to retain expert witnesses as necessary. This broad familiarity with ratemaking policy gives Petitioner special expertise that will assist the Commission in deciding the issues in this proceeding.

Based on the information provided above in accordance with the Commission's rules of procedure, Fred Meyer Stores, Inc. a subsidiary of The Kroger Co. and Quality Food Centers, a division of The Kroger Co. requests to participate in this proceeding as an intervenor. Petitioner represents that it will not unreasonably broaden the issues, burden the record, or unreasonably delay the proceeding. OAR 860-013-

0300.



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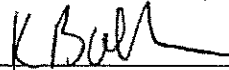
Date

3/22/13

COUNSEL FOR THE KROGER CO.

CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served via electronic mail, unless otherwise noted, this 22nd day of March, 2013.



Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.

<u>ACTIONS</u>	<u>SERVICE LIST (Parties)</u>	<u>SCHEDULE</u>
W=Waive Paper service	C=Confidential HC=Highly Confidential	Sort by Last Name Sort by Company Name
W	BRUBAKER & ASSOCIATES INC MICHAEL GORMAN (C)	16690 SWINGLEY RIDGE RD STE 140 CHESTERFIELD MO 63017 mgorman@consultbai.com
W	CITIZENS' UTILITY BOARD OF OREGON OPUC DOCKETS	610 SW BROADWAY, STE 400 PORTLAND OR 97205 dockets@oregoncub.org
	ROBERT JENKS (C)	610 SW BROADWAY, STE 400 PORTLAND OR 97205 bob@oregoncub.org
	G. CATRIONA MCCRACKEN (C)	610 SW BROADWAY, STE 400 PORTLAND OR 97205 catriona@oregoncub.org
W	DAVISON VAN CLEVE PC MELINDA J DAVISON (C)	333 SW TAYLOR - STE 400 PORTLAND OR 97204 mjd@dvclaw.com; mail@dvclaw.com
W	ENERGY STRATEGIES LLC KEVIN HIGGINS	215 STATE ST - STE 200 SALT LAKE CITY UT 84111-2322 khiggins@energystrat.com
W	NOBLE AMERICAS ENERGY SOLUTIONS, LLC GREG BASS	401 WEST A ST., STE. 500 SAN DIEGO CA 92101 gbass@noblesolutions.com
W	PACIFIC POWER R. BRYCE DALLEY (C)	825 NE MULTNOMAH ST., STE 2000 PORTLAND OR 97232 bryce.dalley@pacificcorp.com

	SARAH WALLACE (C)	825 NE MULTNOMAH ST STE 1800 PORTLAND OR 97232 sarah.wallace@pacificorp.com
W	PACIFICORP, DBA PACIFIC POWER OREGON DOCKETS	825 NE MULTNOMAH ST, STE 2000 PORTLAND OR 97232 oregondockets@pacificorp.com
W	PUBLIC UTILITY COMMISSION OF OREGON DEBORAH GARCIA (C)	PO BOX 2148 SALEM OR 97308-2148 deborah.garcia@state.or.us
W	PUC STAFF-DEPARTMENT OF JUSTICE MICHAEL T WEIRICH (C)	BUSINESS ACTIVITIES SECTION 1162 COURT ST NE SALEM OR 97301-4096 michael.weirich@state.or.us
W	REGULATORY & COGENERATION SERVICES INC DONALD W SCHOENBECK (C)	900 WASHINGTON ST STE 780 VANCOUVER WA 98660-3455 dws@r-c-s-inc.com
W	RICHARDSON & O'LEARY GREGORY M. ADAMS	PO BOX 7218 BOISE ID 83702 greg@richardsonandoleary.com