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December 28, 2022

VIA ELECTRONIC FILING

Public Utility Commission of Oregon
Filing Center
P.O. Box 1088
201 High Street S.E., Suite 100
Salem, OR 97308-1088

Re: Docket Nos. UM 2211, UM 2210, UM 2209, AR 638, AR 626, PCN 5, LC 78.

Attention Filing Center:

Attached for filing in the above-referenced dockets is Idaho Power Company's Response to the STOP B2H Coalition's Request to Be Found Eligible for Intervenor Funding.

Please contact this office with any questions.

Thank you,

Alisha Till
Paralegal

Attachment

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2211, UM 2210, UM 2209, AR 638, AR 626, PCN 5, LC 78

In the Matters of

PUBLIC UTILITY COMMISSION OF OREGON, Implementation of House Bill 2475 (UM 2211),

IDAHO POWER COMPANY, Application for Waiver of Competitive Bidding Rules (UM 2210),

IDAHO POWER COMPANY, Wildfire Protection Plan (UM 2209),

Rulemaking for Risk-based Wildfire Protection Plans and Planned Activities Consistent with Executive Order 20-04 (AR 638),

Rulemaking Regarding Certificate of Public Convenience and Necessity Rule (AR 626),

IDAHO POWER COMPANY'S, Petition for Certificate of Public Convenience and Necessity (PCN 5), and

IDAHO POWER COMPANY, 2021 Integrated Resource Plan (LC 78).

**IDAHO POWER COMPANY'S
RESPONSE TO STOP B2H
COALITION'S REQUEST TO BE
FOUND ELIGIBLE FOR INTERVENOR
FUNDING**

1 On December 12, 2022, the STOP B2H Coalition (“STOP B2H”) filed a Request to Be
2 Found Eligible for Intervenor Funding (“Request”). Thereafter, on December 13, 2022, Chief
3 Administrative Law Judge (“ALJ”) Nolan Moser issued a Memorandum in the above-captioned
4 cases, inviting parties to file responses to STOP B2H’s Request. Idaho Power Company (“Idaho
5 Power”) submits this Response to STOP B2H’s Request in accordance with ALJ Moser’s
6 Memorandum.

7 STOP B2H’s Request raises a novel question for the Commission: whether a landowner
8 advocacy group organized around a particular outcome—namely, opposing a specific energy

1 facility—should be eligible for intervenor funding paid for by the utility’s customers. Additionally,
2 though STOP B2H claims to represent utility customers, it is not clear from STOP B2H’s Request
3 that the organization actually represents Idaho Power’s customers or is in any way accountable
4 to Idaho Power’s customers. Idaho Power asks the Commission to carefully consider whether it
5 is appropriate to grant intervenor funding to an outcome-driven organization such as STOP B2H,
6 and also whether STOP B2H represents the interests of Idaho Power’s customers and is
7 accountable to these customers. As discussed further herein, Idaho Power does not believe it is
8 appropriate to award HB 2475 funding to STOP B2H, and asks that the Commission deny its
9 Request.

10 **I. BACKGROUND**

11 There are two types of intervenor funding available – (1) funding for groups that represent
12 a broad class of customers,¹ and (2) funding under the new law passed in 2021, House Bill (HB)
13 2475, for groups that represent utility customers that are also members of an environmental
14 justice community or are low-income residential customers.² Both types of funding are
15 administered through intervenor funding agreements, and a threshold for eligibility for intervenor
16 funding is that the organization must represent the interests of utility customers.³ In accordance
17 with ORS 757.072(1), utilities *may* (but are not required to) enter into intervenor funding
18 agreements. Because Idaho Power’s Oregon customer base is primarily low-income and rural,
19 Idaho Power is particularly sensitive to increasing costs for these customers—and accordingly,
20 Idaho Power carefully weighs the value of the advocacy of the group against the costs of providing
21 intervenor funding. At this time, Idaho Power has entered into such agreements with the Oregon
22 Citizens’ Utility Board and the Community Action Project of Oregon (“CAPO”) after concluding

¹ ORS 757.072(2)(a)(A).

² ORS 757.072(2)(a)(B) and (C).

³ ORS 757.072.

1 that the advocacy of these organizations has potential to provide value for Idaho Power’s Oregon
2 customers.

3 The Commission initiated a proceeding to implement HB 2475, Docket UM 2211, and on
4 February 10, 2022, issued an order articulating the criteria under which it would review requests
5 for funding under HB 2475.⁴ The Commission explained in Order No. 22-043 that it will consider
6 the community of utility customers served by a particular organization, and also how the
7 organization is accountable to those communities:

8 In reviewing whether or not to approve an individual agreement between a utility
9 and an organization, the Commission or its delegated representative will
10 consider what community of customers an organization serves, and how that
11 organization is accountable to those communities. The Commission will
12 consider the environmental justice community definition as expressed in
13 statute. In the course of review and decision regarding eligible organizations,
14 the Commission may further describe conditions for eligibility on a case by case
15 basis, as it interprets HB 2475 and applies it to the individual agreements.⁵

16 The Commission also approved a template interim funding agreement, which is included
17 as an Appendix to Order No. 22-043. The template interim funding agreement is a bilateral
18 agreement entered into between the utility and intervenor. In order to receive funding, an
19 intervenor must have signed an interim funding agreement and been determined to be eligible for
20 intervenor funding. To date, the Commission has designated four groups as eligible, which
21 include the Coalition of Communities of Color, CAPO, the Community Energy Project (“CEP”),
22 and Rogue Climate.⁶ Additionally, Order No. 22-043 established the amount of funding available
23 through the interim agreements and until a permanent agreement is in place—and for Idaho
24 Power, that amount is 80 percent of the total annual allocation of \$25,000, or \$20,000.⁷

⁴ *In re Pub. Util. Comm’n of Or., Implementation of HB 2475, Docket UM 2211, Order No. 22-043* (Feb. 10, 2022).

⁵ Order No. 22-043, App. A at 7-8.

⁶ Order No. 22-043, App. A at 8-9.

⁷ Order No. 22-043, App. A at 6.

1 On December 19, 2022, the Alliance of Western Energy Consumers filed a letter seeking
2 clarification as to whether STOP B2H is seeking intervenor funding under HB 2475, or from the
3 Fourth Amended and Restated Intervenor Funding Agreement approved in Docket UM 1929,
4 governing intervenor funding for intervenors that represent a class of customers. Although STOP
5 B2H has not provided any further clarification as of the date of this filing, based on the contents
6 of STOP B2H’s Request, Idaho Power understands STOP B2H to seek funding under HB 2475,
7 in accordance with the Commission’s Order No. 22-043.⁸

8 II. DISCUSSION

9 STOP B2H’s Request raises a number of questions: (1) what interest does STOP B2H
10 represent? (2) does STOP B2H represent the interests of Idaho Power’s customers and is STOP
11 B2H accountable to Idaho Power’s customers? and (3) if the Commission believes that STOP
12 B2H should be eligible for intervenor funding, did STOP B2H meaningfully participate in the
13 dockets listed in its Request?

14 A. What interest does STOP B2H represent?

15 Over the past several years, STOP B2H has participated in various proceedings before
16 the Public Utility Commission of Oregon with one objective—to oppose the proposed Boardman
17 to Hemingway Transmission Line project (“B2H”).⁹ STOP B2H now claims to represent the
18 interests of low-income customers and residential customers who are members of environmental
19 justice communities as a basis to seek intervenor funding. Specifically, STOP B2H asserts that
20 its members live in Eastern Oregon, and in Eastern Oregon, there are communities that may be
21 considered low-income (at or below 200% of the federal poverty level), and that may be
22 considered part of an environmental justice community because they are “rural” by virtue of
23 designation by the state, have limited infrastructure, and suffer from the urban-rural divide issues

⁸ STOP B2H’s Request at 1 (referencing HB 2475 and Order No. 22-043).

⁹ STOP B2H’s Request at 1 (“Our Mission is . . . To stop the approval and construction of an
unnecessary 305 mile transmission line in Eastern Oregon and Western Idaho. . .”).

1 such as lower educational levels and greater distance to and time of meetings being obstacles.¹⁰
2 Notably, STOP B2H did not describe in any detail its own member base, but instead claimed that
3 the conditions in the broader community—indeed, in the Eastern half of the state—support its
4 Request. However, absent additional support, STOP B2H’s Request must fail. Under STOP
5 B2H’s reasoning, any non-profit organization in Eastern Oregon could claim eligibility for
6 intervenor funding without showing any nexus to the utility customers providing the funding—
7 which could not possibly have been the intent of HB 2475.

8 Additionally, Idaho Power has concerns about awarding funding to an organization that is
9 outcome-driven rather than mission-driven. The other organizations that have been determined
10 to be preliminarily eligible are not energy project opponents, but rather are community-based
11 organizations that have a history of working with environmental justice and low-income
12 communities.¹¹ For example, in Order No. 22-368 approving an HB 2475 grant for CEP, the
13 Commission found persuasive that CEP “primarily serves Portland and Multnomah County utility
14 customers that are disproportionately energy burdened, including low-income residential
15 customers and environmental justice communities, through safety repairs and efficiency
16 upgrades, among other things, directly to clients' homes.”¹² In another example, the Commission
17 agreed that “CAPO advocates for energy assistance programs that benefit low-income residential
18 customers and environmental justice communities, including seniors, people with disabilities,
19 people of color, and other historically marginalized groups with disproportionately high energy
20 burdens, many of which may be affected by the rule revisions” for the docket at issue, which
21 justified an HB 2475 grant.¹³

¹⁰ STOP B2H’s Request at 2.

¹¹ Order No. 22-043, App. A at 8-9.

¹² *In re Nw. Nat. Gas Co., dba Nw. Nat., Request for a Gen. Rate Revision*, Docket UG 435, Order No. 22-368 at 2 (Oct. 10, 2022).

¹³ *In re Pub. Util. Comm’n of Or., Implementation of HB 2475*, Docket UM 2211, Order No. 22-369 at 2 (Oct. 10, 2022).

1 On the other hand, the advocacy of STOP B2H is fundamentally different in nature from
2 the groups pre-certified in Order No. 22-043. Instead of demonstrating a long-standing
3 commitment to working with utility customers, STOP B2H is primarily dedicated to opposing B2H
4 in every possible forum, with the narrow focus of preventing permitting and construction of the
5 project.¹⁴ Indeed, on its website, STOP B2H describes three key elements of its strategy: “(1)
6 Overall strategy is to DELAY as much as possible. (2) To engage in every administrative and
7 regulatory review process. (3) To file lawsuits.”¹⁵ Because STOP B2H is an outcome-driven
8 energy project opponent, Idaho Power urges the Commission to find that it should not be found
9 eligible for funding under the HB 2475 grants, and recommends the Commission deny STOP
10 B2H’s Request.

11 **B. Does STOP B2H represent the interests of Idaho Power’s customers and is STOP**
12 **B2H accountable to Idaho Power’s customers?**

13 In accordance with ORS 757.072, a threshold for eligibility for intervenor funding is that
14 the organization represent the interests of utility customers, and the Commission further explained
15 in Order No. 22-043 that the organization must be accountable to those customers.¹⁶ STOP B2H
16 claims that it represents the interests of “low-income residential customers that are members of
17 the environmental justice communities as well as residential customers of the utilities involved in
18 the applicable dockets for which we are applying for funding.”¹⁷ However, Idaho Power questions
19 whether STOP B2H’s interests are aligned with Idaho Power’s customers, or instead are primarily
20 driven by landowners that have organized to oppose the construction and operation of the B2H

¹⁴ See Attachment 1, STOP B2H: Decision Making Approval Processes & Strategies to Stop B2H, <https://stopb2h.org/resources/> (last visited Dec. 26, 2022).

¹⁵ Attachment 1 at 9 (numbering added for reader’s convenience).

¹⁶ Order No. 22-043, App. A at 7 (“In reviewing whether or not to approve an individual agreement between a utility and an organization, the Commission or its delegated representative will consider what community of customers an organization serves, and how that organization is accountable to those communities.”).

¹⁷ STOP B2H’s Cover Letter for its Request at 1.

1 project. Idaho Power asks the Commission to probe whether and how this organization is
2 accountable to utility customers.

3 STOP B2H seeks qualification in seven different dockets, four of which are specific to
4 Idaho Power.¹⁸ However, STOP B2H's claim to represent Idaho Power's customers requires
5 close scrutiny. Idaho Power's Oregon service territory is relatively small, and is limited only to 23
6 zip codes in Malheur County, Baker County, and Harney County.¹⁹ Idaho Power understands
7 that STOP B2H's leadership is based out of the La Grande area—outside of Idaho Power's
8 service territory.²⁰ Thus it is not at all clear whether STOP B2H's members include any sizable
9 number of Idaho Power customers, or that STOP B2H's La Grande-based leadership is
10 accountable to Idaho Power's customers in the Malheur County, Baker County, and Harney
11 County areas. Idaho Power has issued data requests to STOP B2H to better understand the
12 nature of its membership and to understand whether its claims that it represents utility customers
13 (and specifically, Idaho Power's customers) are credible. As shown in Attachment 2 to this
14 Response, Idaho Power requested that STOP B2H expedite responses to allow time for Idaho

¹⁸ STOP B2H's Cover Letter for its Request at 1.

¹⁹ Those zip codes include: 97814, 97819, 97834, 97837, 97840, 97870, 97884, 97901, 97902, 97903, 97904, 97905, 97906, 97907, 97908, 97909, 97910, 97911, 97913, 97914, 97917, 97918, and 97920. See *In re Energy Util. Quarterly Report of Residential Disconnections*, Docket RO 12, Idaho Power Company's Quarterly Residential Service Disconnection Report August 1, 2022-October 31, 2022 (Nov. 18, 2022).

²⁰ Jim and Fuji Kreider are listed as the President and Secretary for STOP B2H with the Oregon Secretary of State with a mailing address in La Grande, and other individuals that have been quoted as serving on the STOP B2H Board include Irene Gilbert, Lois Barry, and Matt Cooper, all of whom reside in the La Grande area. See Phil Wright, *STOP B2H Coalition remains charged up to defeat massive power line project*, East Oregonian https://www.eastoregonian.com/news/local/stop-b2h-coalition-remains-charged-up-to-defeat-massive-power-line-project/article_8cf33576-9dd7-11e9-8d94-bb057ba8134f.html (July 6, 2019) (describing Irene Gilbert as a STOP B2H board member); Garrett Christensen, *Oregon Community Foundation Partners with Stop B2H Coalition*, Elkhorn Media Group, <https://elkhornmediagroup.com/oregon-community-foundation-partners-with-stop-b2h-coalition/> (Oct. 20, 2022) (describing Lois Barry as a STOP B2H Board Member); and Fuji Kreider, *STOP B2H and the Contested Case Warriors*, Greater Hells Canyon Council, <https://www.hellscanyon.org/single-post/stop-b2h-and-the-contested-case-warriors> (May 20, 2022) (describing Matt Cooper as a STOP B2H Board Member); see also Idaho Power's Supplement to Petition for CPCN, Attachment 1 at p. 2546 of 10603 (refiled Nov. 9, 2022) (noting Irene Gilbert's mailing address in La Grande, OR 97850); Idaho Power's Supplement to Petition for CPCN, Attachment 1 at p. 1580 of 10603 (noting Lois Barry's mailing address in La Grande, OR 97850); Idaho Power's Supplement to Petition for CPCN, Attachment 1 at p. 2076 of 10603 (noting Matt Cooper's mailing address in La Grande, OR 97850).

1 Power to review before filing this response, but due to medical issues for a representative of
2 STOP B2H, it did not timely provide the data to Idaho Power. Without a more compelling showing,
3 Idaho Power does not believe that its customers should provide funding for a landowner group
4 that appears to primarily operate out of La Grande.

5 **C. Did STOP B2H participate substantively in the dockets listed in its Request?**

6 If the Commission ultimately determines that STOP B2H should be eligible for HB 2475
7 funding, the Commission should decline to link that eligibility with any specific docket absent a
8 showing that STOP B2H meaningfully participated in and contributed to the proceeding. While
9 Idaho Power does not dispute that STOP B2H has been an active participant in the Company's
10 Integrated Resource Planning proceedings, including Docket LC 78, as well as Dockets AR 626,
11 and PCN 5, Idaho Power questions the level of involvement STOP B2H has had in the other
12 dockets listed in its Request. STOP B2H has not proposed a budget for *any* of the dockets listed
13 in its Request—and must do so before Idaho Power or the Commission can evaluate the value of
14 STOP B2H's contributions to any particular docket. Additionally, to the extent that STOP B2H is
15 seeking funding for a contested case proceeding such as PCN 5, its Request is untimely because
16 Order No. 22-043 directs that a budget should have been filed within 30 days of the Prehearing
17 Conference (which occurred on October 11, 2022), and thus would have been due by November
18 10, 2022. If STOP B2H proposes a specific budget for any of the dockets listed in its Request,
19 Idaho Power requests the opportunity to comment on that proposal and STOP B2H's involvement
20 in the docket.

21 **III. CONCLUSION**

22 For the foregoing reasons, Idaho Power respectfully requests that the Commission deny
23 STOP B2H's Request.

Respectfully submitted this 28th day of December, 2022.

McDOWELL RACKNER GIBSON PC



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IDAHO POWER COMPANY

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Attorneys for Idaho Power Company

ATTACHMENT 1

to

**Idaho Power's Response to STOP B2H's
Request for Intervenor Funding**



"Protect Our Land, Preserve Our Heritage"

STOP B2H:

Decision Making Approval Processes & Strategies to Stop B2H

Stop the Boardman to Hemingway (B2H) Transmission Line Project

STOP B2H: Approval Processes & Strategies to Stop B2H

- ▶ If you are new to the Boardman to Hemingway Transmission Project, you might want to start with [STOP B2H: an Introduction](#).
- ▶ This presentation outlines the various regulatory processes that are required to approve the B2H and their current timelines.
- ▶ It also outlines the strategies to STOP B2H and how you can get involved in stopping it!



Three decision making processes:

- 1) **State Regulatory (determining need):**
 - i. **Oregon Public Utility Commission**
 - ii. **Idaho Public Utility Commission**
- 2) **Federal Siting:**
 - i. **Environmental Impact Statement (EIS)**
- 3) **State Siting:**
 - i. **Oregon Department of Energy/Energy Facility Siting Council**

Complex process: There is not ONE decision maker.



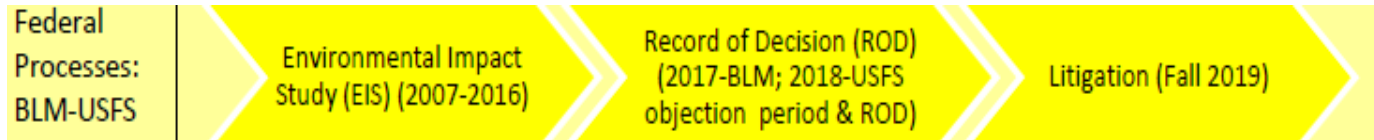
Public Utility Commissions (PUCs)

- Every 2 years all investor-owned utilities must plan & forecast for next 20 years, called an “Integrated Resource Plan” (IRP)
- Idaho Power must submit its IRP to the Idaho & Oregon PUCs
- PUCs don’t actually approve; but “acknowledge”
- However, PUCs can mandate that utilities do certain things
- “NEED” is determined by the IRP
- Rates are approved/adjusted (based on costs of projects)



Federal: Environmental Impact Statement (EIS)

- Environmental Impact Statement (study of multiple routes; a multi-yr process with steps for public comment) (2007–2017)
- Record of Decision (ROD): either, no action or approves a route (only one)
- “Right of Way” on Federal lands (not state or private)
- BLM was the “lead” federal agency – a joint EIS.
- We can file a lawsuit up until Nov 2019.

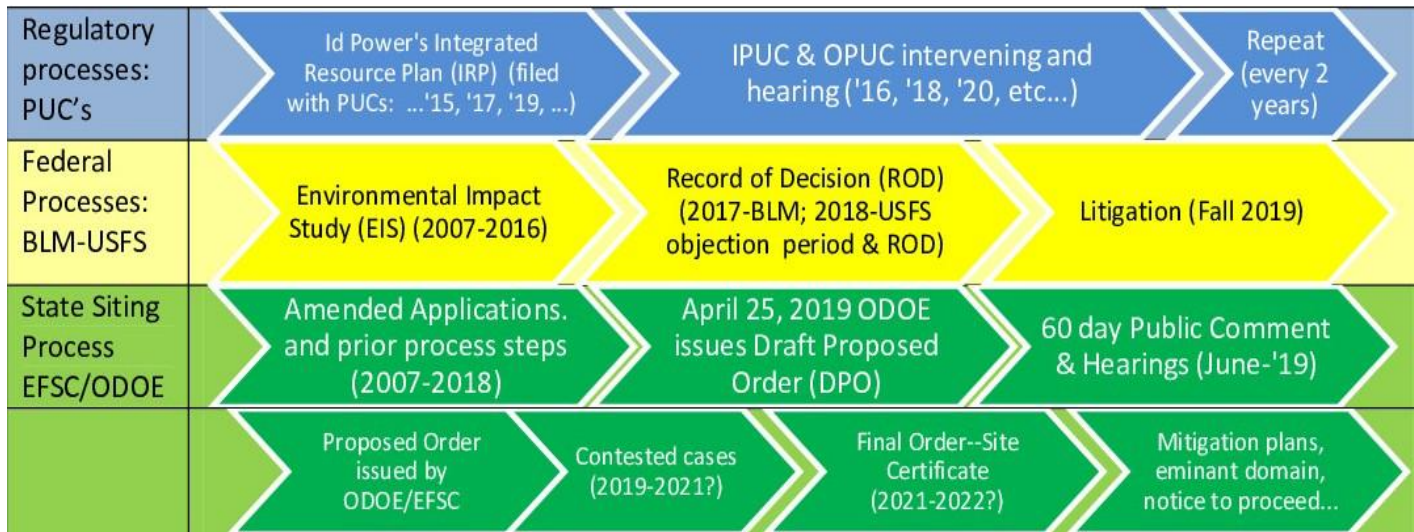


State of Oregon: Dept of Energy (ODOE)/ Energy Facility Siting Council (EFSC)

- Analysis of compliance with state standards, which include: local ordinances, laws, rules & regulations (some similarities to EIS)
- Decision on whether or not to Issue a “Site Certificate” for construction and operation on state and private lands (74%)
- You MUST comment at this time★ to have the right to continue in the process



B2H Approval Process



PUBLIC HEARINGS—schedule:

- ▶ June 18th Malheur
- ▶ June 19th Baker
- ▶ June 20th Union

- ▶ June 26th Umatilla
- ▶ June 27th Morrow



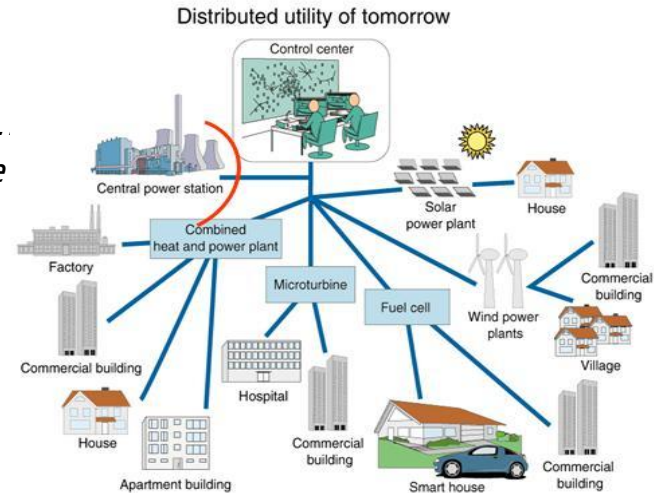
Locations to be Announced



How do we Stop B2H?

- Overall strategy is to DELAY as much as possible.
- To engage in every administrative and regulatory review process
- To file lawsuits.

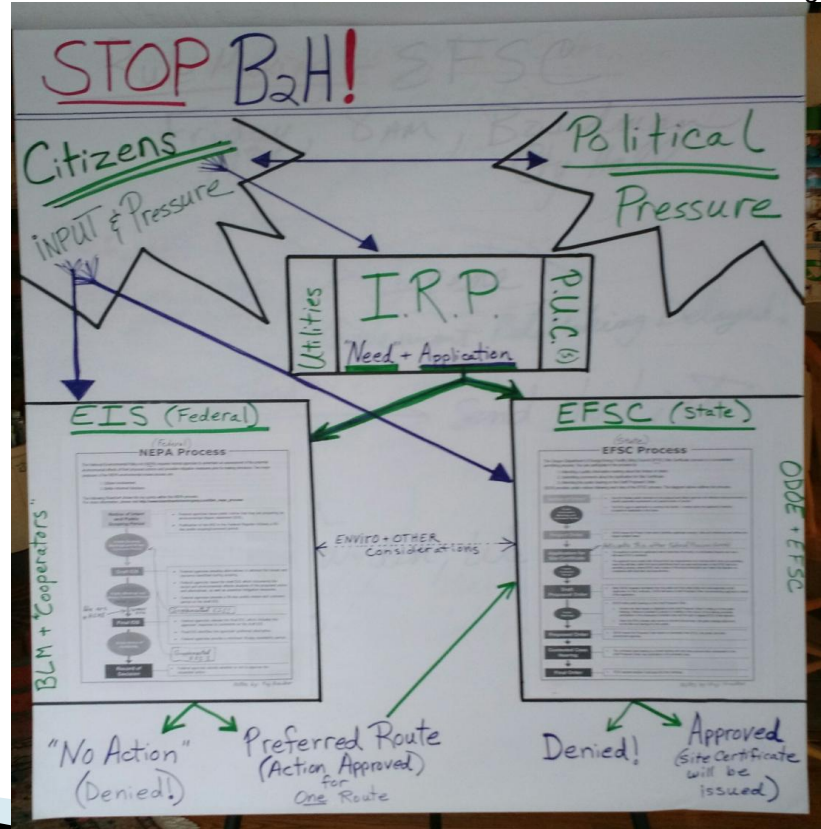
*Eventually the energy industry will transform..
it will become obvious to everyone—even the
that its not worth the investment to proceed.*



Strategy to STOP B2H!

*Our four-pronged approach:
"an alphabet soup"*

1. IRP/PUC
2. EIS
3. EFSC
4. Citizen Action!



A Call to Action

What can you do to help?

- [Join Stop B2H.](#)
- [Donate](#) to Stop B2H.
- Write a letter to the editor or public comment.
- Testify at a hearing; Show Up at a hearing.
- [Contact](#) your state and federal legislators.
- Encourage your organization to [join](#) the Stop B2H Coalition.
- Spread the word. Many people are still unaware!
- Educate yourself: See www.stopb2h.org and www.facebook.com/stopb2h



There is hope!

More than 12 major transmission projects have been cancelled.

Two have been cancelled right here in Oregon!

The “non-wires solution” is becoming the preferred future!



Questions?



contact us at: info@stopb2h.org



ATTACHMENT 2

to

**Idaho Power's Response to STOP B2H's
Request for Intervenor Funding**



JOCELYN PEASE
Direct (503) 290-3620
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December 16, 2022

VIA HUDDLE AND EMAIL

Jim Kreider
STOP B2H Coalition
60366 MARVIN RD
LA GRANDE OR 97850
jkreider@campblackdog.org

Re: Docket No. PCN-5 – In the Matter of IDAHO POWER COMPANY, Petition for Certificate of Public Convenience and Necessity.

Dear Mr. Kreider:

Attached are Idaho Power Company's ("Idaho Power") First Set of Data Requests to the STOP B2H Coalition ("STOP B2H") regarding STOP B2H's Request to be found eligible for Intervenor Funds, which was filed on December 12, 2022 in dockets LC 78, PCN 5, AR 626, AR 638, UM 2209, UM 2210, and UM 2211. For efficiency, Idaho Power is only requesting discovery in docket PCN 5, and is not submitting these Data Requests in all related dockets. Due to the short timeline for providing a response to STOP B2H's Request,¹ we request that STOP B2H provide expedited responses to the attached data requests by 5:00 p.m. on Friday, December 23, 2022.

If you have any questions about these data requests, please do not hesitate to contact me immediately.

Sincerely,

Jocelyn Pease
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419 SW 11th Avenue, Suite 400
Portland, OR 97205
jocelyn@mrg-law.com

Attorney for Idaho Power Company

¹ On December 13, 2022, Chief Administrative Law Judge Nolan Moser issued a Memorandum requesting that parties provide a response to STOP B2H's Request for Intervenor Funding by December 28, 2022.

IDAHO POWER COMPANY'S FIRST SET OF DATA REQUESTS TO
THE STOP B2H COALITION

DOCKET PCN 5, *et al.*

Issued: December 16, 2022

Response Due By: *Expedited request – due to the short timeline for providing a response to STOP B2H's petition seeking intervenor funding, we request that STOP B2H provide an expedited response to these data requests. Please provide your response to these questions by **5:00 p.m. on Friday, December 23, 2022**, and if you have any questions please contact me immediately.*

The following instructions apply to Idaho Power's Data Requests ("Requests"):

INSTRUCTIONS

1. Each Request and every subpart thereof should be answered separately and to the full extent required by the Commission's discovery guidelines and Oregon Administrative Rules on the basis of all information known to the STOP B2H Coalition ("STOP B2H") and its witnesses and consultants, unless the Request or subpart thereof is objected to, in which event the reasons for the objection should be stated in detail.
2. Where a complete answer to a particular Request is not possible, the Request should be answered to the extent possible and a statement should be made indicating why only an incomplete answer is given. If any claim of privilege is asserted, the claim and the grounds upon which it is asserted should be set forth fully, and any part of an answer as to which privilege is not claimed should be given in full.
3. The response to each Request should set forth the full text of the Request being answered.
4. Where appropriate, responses to these Requests should include any pertinent information revealed or contained in each document (as defined herein) or other thing in the possession, custody or control of STOP B2H, its employees, consultants or witnesses in this case or others acting on its behalf (including attorneys).
5. In responding to each Request, identify each document relied upon in responding to such Request and each document containing all or part of the information reported in responses to the Request. If the response includes any attachments or documents, please provide them in their native format (e.g. spreadsheets in original excel spreadsheets with cell formulae intact).
6. In the event that STOP B2H asserts that any requested data is not relevant or material to any issue in this matter, STOP B2H should describe, in detail, the specific basis for such assertion.
7. Please provide responses to the following requests for data by the due date. Please note that all responses must be posted to the PUC Huddle account. Contact the

undersigned before the response due date noted above if the request is unclear or if you need more time.

DATA REQUESTS

1. In STOP B2H's Petition at page 1, STOP B2H claims to have "nearly 1,000 individual members."
 - a. Please provide a list of STOP B2H's members, including the names, addresses, zip codes, and the date on which they became a member.
 - b. How do individuals establish membership with STOP B2H (making a donation, signing up for a newsletter, etc.)?
 - c. Has STOP B2H ever updated its membership list to remove members and if so, on what basis?
 - d. Please describe any action STOP B2H has taken to verify whether the concerns of any of its individual members have been resolved between the date when they became members and today's date.
 - e. Please provide an estimate of the number of Idaho Power customers that are included in STOP B2H's membership and an explanation detailing how the estimate was derived.

2. In Order No. 22-043, Appendix A at 7, the Memorandum from AHD stated "In reviewing whether or not to approve an individual agreement between a utility and an organization, the Commission or its delegated representative will consider what community of customers an organization serves, and how that organization is accountable to those communities."
 - a. How does STOP B2H communicate with and report regarding its activities to its members?
 - b. How is STOP B2H accountable to its members?

3. In STOP B2H's Petition at page 1, STOP B2H claims to have 7 organizational members.
 - a. Please list these organizational members.
 - b. Please describe how these organizational members engage with STOP B2H and how STOP B2H is accountable to these organizational members.

4. In STOP B2H's cover letter, STOP B2H claims that it "represents the interests of low-income residential customers that are members of environmental justice communities as well as residential customers of the utilities involved in applicable dockets for which [it is] applying for funding and listed below."
 - a. For each docket listed, please explain how STOP B2H determined that its individual members were low-income and provide any documentation available to support the same.
 - b. For each docket listed, please explain how STOP B2H determined that its individual members reflect the broader demographic profile of the counties analyzed in pages 2 and 3 of the petition and provide any documentation available to support the same.
 - c. For each docket listed, please provide:

- i. The names of the utilities that serve the members of STOP B2H; and
 - ii. The total number of STOP B2H's members that are served by each utility.
5. Please provide a copy of STOP B2H's bylaws and articles of incorporation.
6. In STOP B2H's petition at page 1, STOP B2H states that it is a 501(c)(3) organization.
 - a. Please provide documentation of STOP B2H's status as a 501(c)(3) organization.
 - b. Please describe the charitable purpose for which STOP B2H is organized as a 501(c)(3) organization.
 - c. Please provide a copy of any reports provided in connection with STOP B2H's status as a 501(c)(3) organization.

DIRECT QUESTIONS TO: Jocelyn Pease
 McDowell Rackner Gibson PC
 Attorney for Idaho Power Company
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 Email: jocelyn@mrq-law.com

Jim Kreider
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December 18, 2022

VIA HUDDLE AND EMAIL

McDowell Rackner Gibson PC
419 SW 11th Ave, Suite 400 | Portland, OR 97205

Re: Docket No. PCN-5 – In the Matter of IDAHO POWER COMPANY,
Petition for Certificate of Public Convenience and Necessity

Dear Ms. Pease,

I am in receipt of IPC's data requests, thank you. I regret to inform you that I will not be able to assure you that I will be able to meet your expedited deadline request. I am having hand surgery Monday, 12/19/22, and will be sidelined for several days.

I will endeavor to do my best to get the responses to you before ALJ Moser's deadline.

Submitted by



Jim Kreider
Co-Chair, STOP B2H Coalition | <http://stopb2h.org/>
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