

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 246

In the Matter of)	
)	
PACIFICORP)	PETITION TO INTERVENE OF
)	KLAMATH WATER AND POWER
Request for a General Rate Revision)	AGENCY
_____)	

Pursuant to ORS 756.525 and OAR 860-001-0300, the Klamath Water and Power Agency ("KWAPA") petitions the Public Utility Commission of Oregon ("OPUC" or the "Commission") to intervene in this proceeding with full party status. In support of this petition, KWAPA represents as follows:

- | | |
|-------------------------------------|--|
| 1. Name of petitioner: | Klamath Water and Power Agency |
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| 2. Name of petitioner's counsel: | William M. Ganong, OSB No. 782137
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| 3. Name of petitioner's consultant: | Stuart Robertson |
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4. Petitioner is a public agency formed pursuant to ORS Chapter 190 consisting of one California irrigation district, Tulalake Irrigation District, and six Oregon water delivery districts: Klamath Irrigation District, Malin Irrigation District, Shasta View Irrigation District, Klamath Basin Improvement District, Klamath Drainage District, and Klamath Hills District Improvement Company. KWAPA's members are all contractors with the United States of America, Bureau of Reclamation, and divert and deliver irrigation water to approximately 160,000 acres of agricultural land in the Klamath Reclamation Project in Southern Oregon and Northern California.

5. KWAPA's purposes include acting as an independent autonomous agency for the purpose of doing all things necessary or incident to the purchase, generation, and distribution of electrical power as provided by Oregon law to a People's Utility District and by California law to an irrigation district, including but not limited to the purchase, construction, and operation of electric generation, distribution and transmitting facilities and procuring services over such facilities from service providers.

6. All of KWAPA's members and their constituent landowners are served with electrical power by PacifiCorp. They use approximately 41,000 megawatt hours of electricity per year and are served through approximately 930 power meters. Historically, KWAPA's Oregon members and their constituents received power under PacifiCorp's Schedule 33. By 2013 all of KWAPA's Oregon loads will be at the full Schedule 41 tariff. The economics of the region developed under Schedule 33, which, at the sunset of this schedule and the commencement of schedule 41, will have dramatically increased by about 8 cents/kWh and – in excess of a \$3 million annual hit to the regional economy.

7. KWAPA was formed for the specific purpose of representing its members in all actions they deem appropriate to provide economical electrical power and to minimize the cost of electrical power to the agricultural users. When KWAPA's Oregon members and their constituents shift to Schedule 41, they will represent approximately 25 percent of the total power delivered pursuant to that schedule.

8. Pursuant to the Klamath Basin Restoration Agreement, to which the State of Oregon is a party, KWAPA is currently involved in extensive investigation of the use of electrical power for agricultural pumping by its members and their constituents, including obtaining information on a meter-by-meter basis of the amount of power used, the minimum and maximum demands, the season of use of power, and the timing during a 24-hour period of each user's demand. KWAPA is investigating, in conjunction with PacifiCorp, the Bureau of Reclamation, and the Bonneville Power Administration, options for the purchase and delivery of electrical power from Bonneville Power Administration and other suppliers to its members and their constituents.

9. The Summary of Requested Electric General Rate Increase sought by PacifiCorp includes a request for a net percentage increase in the cost of agricultural service pursuant to Schedule 41 of 3.5 percent. It also requests an increase in the return on equity payable to PacifiCorp to 10.2 percent. KWAPA intends to review the filing and supporting cost data for this and other potentially applicable rate schedules, including the direct access rate schedules, to assess their reasonableness, justness and necessity, and their impacts on KWAPA members.

10. 11. KWAPA submits that it has a direct and substantial interest in this proceeding that will not be adequately represented by any other party, and KWAPA's members and their constituents will be directly affected by any Commission determination made in connection with these proceedings. It is in the public's interest to allow KWAPA to intervene in these

proceedings. Allowing KWAPA to intervene will assist the Commission in resolving the issues and will not unreasonably broaden the issues, burden the record, or delay the proceedings.

12. Based on the information provided above, in accordance with the Commission's rules of procedure, KWAPA requests to participate in this proceeding as an intervener. The organization that I represent will not unreasonably broaden the issues, burden the record, or delay the proceedings. OAR 860-001-0300.

Dated this 24th day of April, 2012.



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CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing document, in Docket UE 246, on the date indicated below by email to each said party at his or her email address appearing on the email service list of the Oregon Public Utility Commission in this case as shown below:

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Dated this 24th day of April, 2011.



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