

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)	DOCKET NO. UE-130043
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	
)	PETITION TO INTERVENE OF
v.)	COLUMBIA RURAL ELECTRIC
)	ASSOCIATION
PACIFICORP D/B/A PACIFIC POWER &)	
LIGHT COMPANY,)	
)	
Respondent.)	

1 Pursuant to WAC § 480-07-355, Columbia Rural Electric Association (“Columbia REA”) hereby petitions the Washington Utilities and Transportation Commission (“WUTC” or “Commission”) for leave to intervene in the above-referenced Docket, as an intervenor with party status as described in WAC § 480-07-340. The business address of Columbia REA is:

Columbia Rural Electric Association
115 E. Main Street
PO Box 46
Dayton, WA 99328

Columbia REA will be represented in this proceeding by Davison Van Cleve, P.C. All documents relating to these proceedings should also be served on Columbia REA’s attorney and Columbia REA at the following addresses:

Irion A. Sanger
Davison Van Cleve, P.C.
333 S.W. Taylor, Suite 400
Portland, OR 97204
ias@dvclaw.com
Telephone: (503) 241-7242
Facsimile: (503) 241-8160

Scott Peters
Manager of Marketing and Member
Services
Columbia Rural Electric Association
115 E. Main Street
PO Box 46
Dayton, WA 99328
speters@columbiarea.com
Telephone: (509) 382-2578
Facsimile: (509) 629-1215

2 The administrative rules at issue are WAC § 480-07-340, -355. A petitioner must state their “interest in the proceeding.”^{1/} The Commission will grant a petitioner’s intervention when “the would-be intervenor’s participation will contribute to the Commission’s ability to make a decision in the public interest.”^{2/}

3 Columbia REA is a non-profit electric cooperative with more than 4,500 member accounts and nearly 1,200 miles of electric line throughout Walla Walla, Umatilla and Columbia counties. Columbia REA and Pacific Power & Light Company (“PacifiCorp” or the “Company”) operate in similar geographic areas and do not have an exclusive service territory agreement.

4 Columbia REA has a substantial interest in PacifiCorp’s proposed rate increase. PacifiCorp is proposing revisions to its net removal tariff, and the proposed changes could substantially and directly affect Columbia REA. Columbia REA requests leave to intervene in this docket to represent its interests which are directly affected by PacifiCorp’s proposed tariff changes. PacifiCorp’s proposed tariff changes should be investigated to determine if they are

^{1/} WAC § 480-07-355(c)(ii).

^{2/} WUTC v. PacifiCorp, Docket No. UE-001734, Second Suppl. Order ¶ 31 (July 9, 2001).

cost based, fair, just and reasonable. Columbia REA is not seeking to address issues in this docket unrelated to the net removal tariff.

5 The Commission adopted the original net removal tariff in Docket No. UE-001734.^{3/} Columbia REA was granted leave to intervene in that proceeding.^{4/} The Commission noted that PacifiCorp’s net removal tariff impacted its customers who might move to another utility and the tariff did not occur in isolation “but in the context of potential competition among neighboring utilities.”^{5/} The Commission concluded that Columbia REA’s participation could help in evaluating the net removal tariff on PacifiCorp’s customers, which would be in the public interest, and that Columbia REA would be allowed to address issues related to competition, customer choice and unlawful restraint of trade.^{6/} The same rationale applies in granting Columbia REA party status in the proceeding.

6 Columbia REA’s legal counsel has extensive experience in proceedings before the Commission involving PacifiCorp’s rates. Columbia REA’s intervention in this proceeding will assist the Commission in resolving the issues and will not unreasonably broaden the issues, burden the record, or delay this proceeding.

7 As described above, Columbia REA has a direct and substantial interest in this proceeding that will not be adequately represented by any other party, and may be affected by any Commission determination made in connection with this proceeding. It is in the public interest to allow Columbia REA to intervene in this proceeding.

^{3/} WUTC v. PacifiCorp, Docket No. UE-001734, Eighth Suppl. Order (Nov. 27, 2002).

^{4/} WUTC v. PacifiCorp, Docket No. UE-001734, Second Suppl. Order (July 9, 2001).

^{5/} Id. at ¶ 33.

^{6/} Id.

WHEREFORE, Columbia REA respectfully petitions the Commission for leave to intervene in this proceeding.

Dated this 7th day of February, 2013.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ Irion A. Sanger

Irion A. Sanger
333 S.W. Taylor, Suite 400
Portland, Oregon 97204
(503) 241-7242 telephone
(503) 241-8160 facsimile
ias@dvclaw.com
Of Attorneys for Columbia Rural Electric
Association