

**BEFORE THE WASHINGTON UTILITY AND
TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION)	
)	DOCKET NO. UE-001734
)	
Complainant,)	PETITION FOR
)	INTERVENTION
vs.)	
)	
PACIFICORP, d/b/a PACIFIC POWER and LIGHT,)	
)	
Respondent.)	
<hr style="border: 0.5px solid black;"/>		

1. Name and address of petitioner.

**Columbia Rural Electric Association, Inc.
P.O. Box 46
Dayton Washington 99328**

Phone Number: **(509) 382-2578**

2. Name and address of the attorney, representing the petitioner:

**Michael V. Hubbard
Hubbard Law Office, P.C.
PO Box 67
Waitsburg WA 99361**

Phone Number: **(509) 337-6643**

3. If the petitioner is an organization:

a. State the number of members in the organization:

3,389 members

b. State the name of the person authorized to sign this petition for the organization:

Thomas H. Husted, Manager

c. Attach a copy of the document authorizing participation in this case or state the basis for the authorization:

Resolution of the Board of Directors of Columbia REA, Inc., adopted May 22, 2001.

d. State the purpose of the organization:

To provide utility products and services to its members.

4. The petitioner has participated in the following UTC cases in the last two years:

None, other than to petition for intervention in the matter of the Application of PacifiCorp and Scottish Power; PLC, Docket No: UE-981627, which petition was denied.

5. The petitioner has the following interest in this proceeding:

(a) **Columbia Rural Electric Association, Inc. is a non profit cooperative that is owned by its members. It provides utility products and services to those members in Columbia and Walla Walla Counties in the State of Washington and in Umatilla County in Oregon.**

- (b) Columbia REA has a general transfer agreement that allows BPA power to be wheeled over parts of PP&L's lines to serve Columbia's members.**
- (c) The service areas of Columbia REA and PP&L are generally intermingled, but particularly so in and around the cities of College Place, Dayton, Waitsburg and Walla Walla, Washington.**
- (d) Columbia REA has received requests, initiated by the consumers, to provide electric energy to them instead of PacifiCorp for a variety of reasons, including quality of service and the cooperative way of doing business.**
- (e) The instant application by PacifiCorp asks for exit fees to be imposed on a consumer for changing electric service from it to another utility, which would have the effect of limiting consumer choice and competition.**
- (f) The direct testimony of William G. Clemens for PacifiCorp filed herein contains distortions, such as that found at page 2, lines 11 and 12 wherein he states, "CREA is soliciting PacifiCorp's current retail customers in an effort to provide retail electric service to these electric end users." Columbia REA has an interest in setting the record straight. It has not solicited present customers of PacifiCorp.**
- (g) Columbia REA only learned of this proceeding May 3, 2001, but after the prehearing conference held May 1, 2001. Columbia REA's Board met May 22, 2001 and resolved that the Cooperative petition to intervene and, if allowed, present evidence concerning requests for service that it has received from existing PacifiCorp customers.**

6. The petitioner will raise the following issues in this case:

- (a) **That the subject application was filed in contravention of the stipulation adopted by the commission in Docket No. UF-991832;**
- (b) **Columbia REA intends to join the motions to dismiss that are expected to be filed by Staff, Public Counsel and ICNU.**
- (c) **That the exit fees sought by PacifiCorp are believed to be already built into the margins of its existing rates and line extension charges.**
- (d) **That the subject exit fees would constitute a discriminatory tax applied to some but not all customers who discontinue service from PacifiCorp; and**
- (e) **That the subject exit fees amount to a restraint of trade, restricting competition and customer choice in contravention of law and public policy.**

7. The petitioner intends to:

 X a. Submit written testimony and exhibits of the following people:

- (1) **Thomas H. Husted, Manager, Columbia REA;**
- (2) **Thomas Dwonch, Marketing and Member Services, Columbia REA; and**
- (3) **Other witnesses to be timely identified.**

 X b. Call the following witnesses to testify:

- (1) **Thomas H. Husted, Manager, Columbia REA;**

(2) **Thomas Dwonch, Marketing and Member; and**

(3) **Other witnesses to be timely identified.**

 X c. Cross-examine the witness called by other parties:

 X d. Submit written arguments and/or motions.

8. We submit this Petition to Intervene for good cause shown and request authorization to participate in this proceeding:

Michael V. Hubbard, WSBA #8823
HUBBARD LAW OFFICE, P.C.
Attorney for Petitioner

Date

