

April 13, 2005

Attn: Traci A. G. Kirkpatrick
Administrative Law Judge
Administrative Hearings Division
Public Utility Commission of Oregon

P.O. Box 2148
Salem, OR 97308-2148

RE:

In the Matter of PacifiCorp's 2004 Integrated Resource Plan
LC 39 – Petition to Intervene

Dear Ms. Kirkpatrick:

Enclosed for filing is an original and five copies of the Petition to Intervene for the Hydropower Reform Coalition, WaterWatch of Oregon, and Oregon Natural Resources Council. Copies of this filing have been served to all parties listed for this proceeding.

If you have any questions or need additional information, please do not hesitate to call.

Sincerely,

Rebecca Sherman
Northwest Coordinator
Hydropower Reform Coalition
320 SW Stark St., Suite 429
Portland, OR 97206
971-244-0836

northwest@hydroreform.org

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

LC 39

PETITION TO INTERVENE OF THE
In the Matter of

HYDROPOWER REFORM COALITION
and WATERWATCH OF OREGON and

PACIFICORP,

OREGON NATURAL RESOURCES

2004, Integrated Resource Plan

COUNCIL

Pursuant to OAR 860-012-0001, the Hydropower Reform Coalition and WaterWatch of Oregon
("Petitioners") respectfully petitions the Commission to intervene as parties in this proceeding.

In support of this Petition to Intervene, the Petitioners assert the following:

A. PRINCIPAL ADDRESSES

The principal addresses of the Petitioners are:

Hydropower Reform Coalition
1025 Vermont Avenue, NW
Suite 720
Washington, DC 20005

and

WaterWatch of Oregon
213 SW Ash Street
Suite 208
Portland, OR 97204

and

Oregon Natural Resources Council
5825 North Greeley Avenue
Portland, OR 97217

B. REPRESENTATION OF PETITIONERS

The Hydropower Reform Coalition will be represented by its Northwest Coordinator, Rebecca Sherman, who is designated for service of all documents in this matter with the following contact information:

Rebecca Sherman
Hydropower Reform Coalition
320 SW Stark Street, Suite 429
Portland, OR 97204

(971) 244-0836
northwest@hydrereform.org

Water Watch of Oregon ("WaterWatch") will be represented by Lisa Brown, Staff Attorney, who is designated for service of all documents in this matter at the address supplied above, or by electronic service at lisa@waterwatch.org or (503) 295-4039 x26.

Oregon Natural Resources Council ("ONRC") will be represented by Jim McCarthy, Policy Analyst, who is designated for service of all documents in this matter with the following contact information:

Jim McCarthy
Oregon Natural Resources Council
PO Box 151
Ashland, OR 97520

(541) 201-1058
jm@onrc.org

On March 21, 2005, the Commission issued a Prehearing Conference Memorandum in which Administrative Law Judge Kirkpatrick wrote, "Although parties did not set a date for petitions to intervene, parties may still intervene, but should do so as soon as possible." We are mindful of the late time but respectfully request treatment of timely intervention, since no deadline has been established.

C. DESCRIPTION OF PETITIONERS

The Hydropower Reform Coalition is a consortium of more than 120 conservation and recreation organizations across the country that work to restore rivers through hydropower licensing. Hydropower licensing, administered by the Federal Energy Regulatory Commission (FERC), is the public process of regulating non-federal hydropower facilities that fall within federal jurisdiction. Now in its 13th year, the Coalition continues to restore public and environmental uses to rivers through reforming hydropower dam operations, and to represent the interests of its membership in policy, legislative, and regulatory affairs. Several members of the Coalition count their principal area of business in Oregon, and other Coalition members hold significant individual membership in Oregon.

WaterWatch is a non-profit 501(c)(3) river conservation group devoted to restoring and protecting natural flows in Oregon's rivers, and is a member of the Hydropower Reform Coalition. Incorporated in 1985, WaterWatch has a membership of approximately 1,200 and remains the only Oregon conservation organization devoted exclusively to restoring and protecting flows in our rivers and streams. WaterWatch works across Oregon, including in the Klamath Basin, to protect streamflows and the public interest in the development and implementation of water policy and statute at the state and federal level, and by protecting Oregon's waterways through administrative and judicial proceedings. The outcome of this proceeding could significantly affect WaterWatch's interest in protecting instream flows in Oregon.

ONRC is a non-profit 501(c)(3) organization headquartered in Portland, Oregon and with offices in Eugene, Bend, and Ashland. ONRC has approximately 6,500 members in the state of Oregon, and is a member of the Hydropower Reform Coalition. ONRC's mission is to protect and restore Oregon's wildlands, wildlife, and waters as an enduring legacy for future generations. ONRC's primary goals are to permanently protect federal forests and to protect and restore critical habitat for native fish and wildlife. The outcome of this proceeding could significantly affect ONRC's interest in protecting Oregon's waters, native fish, and wildlife.

D. NATURE AND EXTENT OF PETITIONERS' INTERESTS IN THIS PROCEEDING

During the Federal Energy Regulatory Commission's hydropower dam licensing process, a utility will make environmental and operational commitments for the term of the license, which may be as long as 50 years. The process of licensing and the final license provide direct benefits for the utilities' ratepayers in the form of environmental benefits and assurance of continued and uninterrupted power service.

The Petitioners' interest in PacifiCorp's Integrated Resource Plan is in the characterization and planning of its hydropower assets and future outputs. We believe that our participation in the proceeding will not unreasonably broaden the issues, burden the record nor delay the proceeding. Petitioners' intervention will serve, at minimum, to inform the Commission's judgment. The charge of the Commission in this proceeding is to ensure that PacifiCorp's ratepayers are adequately protected by thorough planning and proper investments in PacifiCorp's use of its rates. The Petitioners believe that the IRP will best serve and protect ratepayer interests by being as true to future power resources as possible, including its hydropower assets.

E. ISSUES PETITIONERS INTEND TO RAISE

The Petitioners' interests in this proceeding are to ensure that PacifiCorp adequately forecasts its reliance on its hydropower facilities; that it properly acknowledges the likelihood of adjustments to its existing hydropower resources from any FERC licenses pending or complete; identifies alternatives to hydropower sources where appropriate – either because of dam removal, project retirement, or other hydropower project management change; and finally, preserves a progressive and fair tone and treatment in the hydropower review section of the IRP. The Petitioners reserve the right to raise additional issues during the course of the proceeding.

F. CONTRIBUTION OF EXPERTISE TO THE PROCEEDING

Petitioners bring to this proceeding considerable expertise in the FERC licensing context. We have substantial experience with FERC licensings, licensing policy, and working directly with utilities. Particularly relevant to this proceeding, Petitioners have been and are involved in FERC relicensing processes with PacifiCorp that have lead or intend to lead to new licenses. Some of these hydropower facilities lie in Oregon; however all of these licenses govern extensive hydropower assets that feed the load of PacifiCorp's Oregon ratepayers.

For the reasons stated above, the Petitioners respectfully request that they be allowed to intervene in this matter.

Dated this thirteenth day of April, 2005.

Respectfully submitted,

Rebecca Sherman, Northwest Coordinator
Hydropower Reform Coalition

Lisa Brown, Staff Attorney
WaterWatch of Oregon

Jim McCarthy, Policy Analyst
Oregon Natural Resources Council

