

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UE 399**

In the Matter of
PACIFICORP, dba Pacific Power
Request for a General Rate Revision.

PETITION TO INTERVENE OF KLAMATH
BASIN WATER USERS PROTECTIVE
ASSOCIATION DBA KLAMATH WATER
USERS ASSOCIATION AND OREGON
FARM BUREAU FEDERATION

Pursuant to ORS 756.525 and OAR 860-001-0300, Klamath Basin Water Users Protective Association, which does business as Klamath Water Users Association (KWUA), and Oregon Farm Bureau Federation (OFBF) petition the Public Utility Commission of Oregon to intervene in this proceeding with full party status. In support of this petition, KWUA and OFBF represent as follows:

I. PETITIONERS

Klamath Water Users Association
2312 South Sixth Street, Suite A
Klamath Falls OR 97601
Telephone: 541.883.6100
Email: assist@kwua.org

Oregon Farm Bureau Federation
1320 Capitol St. NE, Suite 200
Salem, OR 97301
Telephone: 503.399.1701, ext. 306
Email: maryannecooper@oregonfb.org

II. COUNSEL FOR PETITIONERS

Paul S. Simmons, OSB 971386
Somach Simmons & Dunn, PC
500 Capitol Mall, Suite 1000
Sacramento, CA 95814
Telephone: 916.446.7979
Email: psimmons@somachlaw.com

III. THE ORGANIZATIONS

KWUA is a non-profit, mutual benefit with members, corporation, formed in 1953. Its members are predominantly irrigation districts, improvement districts, and similar water delivery agencies who are contractors with the United States of America, Bureau of Reclamation.

KWUA members divert and deliver irrigation water to approximately 175,000 acres of agricultural land in the Klamath Reclamation Project in southern Oregon and northern California, with over 100,000 acres being in Klamath County, Oregon. KWUA has 15 members.

The mission of KWUA is “to preserve and protect the viability of irrigated agriculture for our membership in the Klamath basin, for the benefit of current and future generations.” Among the reasons for KWUA’s incorporation in 1953 was the desire to ensure favorable power costs, and that objective continues to this day. KWUA was an intervenor in cases involving PacifiCorp rates in UE 170, UE 210, UE 374, UE 375, and is an intervenor in UE 2183.

OFBF is a voluntary, grassroots, nonprofit organization representing Oregon’s farmers and ranchers. As Oregon’s largest agricultural trade association, its primary goal is to promote educational improvement, economic opportunity, and social advancement for its members and the farming, ranching, and natural resources industry as a whole. Today, OFBF represents nearly 7,000 farming and ranching families across the state. OFBF was an intervenor jointly with KWUA in UE 374 and 375.

IV. APPLICANTS’ INTEREST

Applicants’ members, and patrons of KWUA’s irrigation district members, use electricity to move irrigation and drainage water. The cost of electricity has a significant effect on the viability of operations. KWUA is focused primarily on interests of agricultural power users in the Klamath Project and Upper Klamath Basin area. KWUA believes that approximately half of

Pacific Power's Schedule 41 customers are in the Klamath Basin. OFBF's membership includes operations from throughout the state, including all areas subject to Schedule 41. KWUA and OFBF intend to participate jointly in this proceeding and through the same counsel and any expert witnesses.

V. ISSUES

The Summary of Requested Electric General Rate Increase sought by PacifiCorp includes a request for a net percentage increase in the cost of agricultural pumping service pursuant to Schedule 41 of 13.4 percent. When coupled with the proposed Transition Adjustment Mechanism increase in UE 400 of 5.3 percent, Pacific Power has proposed that the irrigation tariff increase by 18.7 percent effective January 1, 2023. This would have significant consequence for Applicants and their members and irrigation water users throughout Oregon. The proposed increase for Schedule 41 customers is the largest of the increases proposed for any class of Pacific Power customers.

Applicants have begun their investigation of the justification for the increase and anticipate that they will challenge the rate and revenue increase in these proceedings. To the best of our knowledge, KWUA and OFBF are the only organizations seeking intervention to represent agricultural pumpers subject to Schedule 41

Dated this 22nd day of March 2022.

s/ Paul S. Simmons

Paul S. Simmons, OSB No. 971386
Somach Simmons & Dunn, PC
500 Capital Mall, Suite 1000
Sacramento, CA 95814
Telephone: 916.446.7979
Email: psimmons@somachlaw.com