

UNITED STATES OF AMERICA
U.S. DEPARTMENT OF ENERGY
BEFORE THE
BONNEVILLE POWER ADMINISTRATION

2014 OVERSUPPLY RATE PROCEEDING)
) Docket No. OS-14
)

**THE BONNEVILLE POWER ADMINISTRATION’S MOTION IN OPPOSITION TO
PETITION TO INTERVENE**

On November 14, 2012, Mr. David Galle filed a Petition to Intervene in the OS-14 rate proceeding. The Bonneville Power Administration (“BPA”) hereby submits this Motion in Opposition to Petition to Intervene opposing Mr. Galle’s petition, as Mr. Galle has failed to state sufficient interests to be granted Party status in this rate proceeding.

ARGUMENT

Under Section 1010.4(b) of the Rules of Procedure Governing Rate Hearings (“Rules”), petitioners other than BPA customer groups must “explain their interests in sufficient detail to permit the hearing officer to determine whether they have a relevant interest in the hearing.” Mr. Galle’s Petition to Intervene simply states that he is “a retail customer of Mason County Public Utility District #1.” Petition to Intervene of David Galle at 2. Mason County Public Utility District #1 is a BPA customer whose interests are already being represented in this rate proceeding by the Western Public Agencies Group. Retail ratepayers of individual utilities have been consistently denied Party status in previous BPA rate proceedings. *See* WP-87-O-05, Order Denying Party Status (denying Party status to two retail ratepayers for failure to show a relevant interest).

Mr. Galle has not identified any concrete interest that is the subject of this proceeding which is not already being represented by the utility of which he is a retail ratepayer. *See* Rules, Section 1010.4(c)(2)(iii) (hearing officer should consider whether the “petitioner’s interest is adequately represented by existing parties”). Millions of people in the Northwest are also customers of a BPA customer; if Mr. Galle had the right to intervene, so would they.

Mr. Galle may participate in this rate proceeding as a Participant pursuant to the Federal Register Notice and Section 1010.5 of the Rules. Submitting comments as a participant is the traditional way for retail customers of BPA’s customers to participate in BPA rate cases. Therefore, BPA requests that Mr. Galle’s Petition to Intervene be denied.

DATED this 19th day of November, 2012.

Respectfully submitted,

/s/ Allen Chan

Allen Chan

Attorney for Bonneville Power
Administration

Office of General Counsel, LT-7
Bonneville Power Administration
PO Box 3621

Portland, OR 97208-3621

(503) 230-3551 (voice)

(503) 230-7405 (facsimile)

acchan@bpa.gov