

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

PACIFICORP d/b/a, PACIFIC POWER &
LIGHT COMPANY

Petitioner,

Seeking Exemption from the Provisions of
WAC 480-100-625(1-3) Relating to
Integrated Resource Planning Timing and
WAC 480-100-640(1) Relating to Clean
Energy Implantation Plan Timing. Seeking
Approval of a New Alternative Filing
Schedule for Integrated Resource Planning
Timelines and Clean Energy
Implementation Plan timeline.

DOCKET UE-230786

ORDER 01

GRANTING EXEMPTION FROM
RULE AND DENYING
ALTERNATIVE FILING
SCHEDULE

BACKGROUND

1 On September 28, 2023, PacifiCorp d/b/a Pacific Power & Light Company (PacifiCorp or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an exemption from WAC 480-100-625(1-3) and WAC 480-100-640(1) (Petition). The Company is also requesting a permanent alternative filing schedule for Integrated Resource Plans (IRP) and Clean Energy Implementation Plans (CEIP).

2 The Company specifically requests an exemption from the following rules:

- WAC 480-100-625(1) requires electric companies to submit an Integrated Resource Plan (IRP) with the Commission by January 1, 2021, and every four years thereafter.
- WAC 480-100-625(2) requires electric companies to submit an IRP work plan no later than 15 months prior to the due date of its IRP.
- WAC 480-100-625(3) requires electric companies to file a draft IRP no later than four months prior to the due date of the final IRP.

- WAC 480-100-640(1) requires electric companies to file with the commission a Clean Energy Implementation Plan by October 1, 2021, and every four years thereafter.

3 The Company submits that it is not requesting any waiver from the Commission’s substantive planning requirements but rather a slight extension to align with the generally accepted filing deadlines across the Company’s service territories. Approval would push the current IRP and CEIP due dates, and permanent filing schedule, out by three months.

4 Specifically, PacifiCorp is requesting an exemption from the filing deadlines in WAC 480-100-625(1-3) and WAC 480-100-640(1). The Company also requests the Commission approve a permanent alternative filing schedule for its IRP, IRP work plan, IRP draft, and CEIP, as outlined in the last column in Table 1 below.

5 Table 1: Filing Timelines Before and After Petition Approval

Plan	WAC	Current Due Date	Requested Due Date
IRP	480-100-625(1)	January 1, 2025	April 1, 2025
IRP Work plan	480-100-625(2)	October 1, 2023	January 1, 2024
IRP Draft	480-100-625(3)	October 1, 2024	January 1, 2025
CEIP	480-100-640(1)	October 1, 2025	January 1, 2026

6 On October 5, 2023, Commission staff (Staff) and PacifiCorp met to discuss the petition and how it would affect the filing schedule. PacifiCorp summarized that they are requesting to extend all filing dates by three months, and to repeat their proposed cycle every four years. PacifiCorp states that, as a large multi-state utility, it develops an IRP for its entire system, then submits the IRP to each applicable state regulatory commission. According to the Company, aligning filing submission across states would be in the public interest.

7 On October 23, 2023, Staff reached out to previous commentors in the IRP cycle for comments, including Public Counsel, Northwest Energy Coalition, and Washington Clean Energy Coalition. Staff notes that Public Counsel responded on October 27, 2023, stating that it has reviewed the filing and have no opposition to both the short-term and long-term extensions to the filing timelines, and that they are hopeful that PacifiCorp will be able to meet their timelines instead of asking for extensions.

8 On the same date, Staff reached out to PacifiCorp for more information on how extension of the filing timeline would align with other state timelines, which the Company responded to on November 3, 2023, citing various dockets in various states.¹

9 PacifiCorp also submits that since it are a multi-jurisdictional system, the Company would like to be able to hold an input process for all parties from all states. According to the Company, if granted, Washington interested persons will have the ability to benefit from the input/dialog received from other states, and vice versa. The Company asserts, by design, their resource model examines all options simultaneously to identify efficiency and diversity benefits and reduce costs for customers, and forcing the model to calculate three months ahead imposes a constraint that could lead to riskier, less efficient, and higher cost decisions.

10 Staff reviewed the request and participated in discussions with PacifiCorp to reach a consensus on the filing timeline extension. Staff found that a temporary extension of the filing timeline for the IRP would be in the public interest, for three reasons. First, the temporary extension gives PacifiCorp additional time to ensure the most current information, not behind other jurisdictions, is in the IRP. Second, aligning the filing schedule with other states will ensure a more efficient use of ratepayer and Company resources. Third, a three-month extension of the IRP timeline does not violate any statutory limitations per WAC 480-100-625 (1-3).

11 After engaging in these discussions and reviewing the Company's Petition, Staff recommends that the Commission grant the Petition in part, and deny it in part, as follows:

- Grant one-time modifications to filing deadlines set forth in WAC 480-100-625(1-3) extending the deadlines for the Company's next IRP work plan, draft IRP, and IRP by three months each, respectively.
- Deny the Company's request for an exemption from WAC 480-100-640(1) to extend the Clean Energy Implementation Plan (CEIP) filing schedule by three months.
- Deny the Company's request for a permanent exemption and alternative filing schedule for the IRP and CEIP in Docket UE-230786.²

¹ See Staff memo on Docket UE-230786, pg. 2.

² [RCW 19.405.060](#) ; (1)(a) By January 1, 2022, and every four years thereafter, each investor-owned utility must develop and submit to the commission.

12 Staff submits that further conversations are warranted before granting the Company an extension of CEIP filing deadlines or any permanent, alternative filing schedule for IRPs and CEIPs.

DISCUSSION

13 We agree with Staff’s recommendation. Pursuant WAC 480-07-110, the Commission may grant an exemption from or a modification of its rules “if the exemption or modification is consistent with the public interest, the purposes underlying regulation, and applicable statutes.” This same standard is incorporated in WAC 480-100-008.

14 As the Commission has observed, an electric company has various options available under the current regulatory framework, including requests for exemptions and continuances.³ We have carefully considered PacifiCorp’s requests for permanent exemptions in this docket and an alternative filing schedule. However, we agree with Staff that further collaboration and discussion is warranted to assure that any permanent exemptions would be consistent with the public interest. It is more reasonable at this time to grant the Company one-time modifications to the deadlines for its IRP work plan, draft IRP, and IRP. We therefore grant the Company’s Petition in part, and deny it in part, pursuant to Staff’s recommendations as set forth in paragraph 11 of this Order.

FINDINGS AND CONCLUSIONS

15 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including electric companies.

16 (2) PacifiCorp is engaged in the business of providing electric services within the state of Washington and is a public service company subject to Commission jurisdiction.

17 (3) PacifiCorp is subject to WAC 480-100-625(1) requires electric companies to submit an Integrated Resource Plan (IRP) with Commission by January 1, 2021, and every four years thereafter. WAC 480-100-625(2) requires electric companies

³ See *In the Matter of the Clean Energy Implementation Plan filed by Puget Sound Energy*, Docket UE-210795 Final Order 08 ¶¶ 244-45 (June 6, 2023).

to submit an IRP work plan no later than 15 months prior to the due date of its IRP. WAC 480-100-625(3) requires electric companies to file a draft IRP no later than four months prior to the due date of the final IRP. WAC 480-100-640(1) requires electric companies to file with the commission a Clean Energy Implementation Plan (CEIP) by October 1, 2021, and every four years thereafter.

- 18 (4) Under WAC 480-100-008, the Commission may grant an exemption from the provisions of any rule in WAC 480-100, if consistent with the public interest, the purposes underlying regulation and applicable statutes. See also WAC 480-07-110.
- 19 (5) This matter came before the Commission at its regularly scheduled meeting on November 22, 2023.
- 20 (6) After reviewing PacifiCorp's Petition filed in Docket UE-230786 on September 28, 2023, and giving due consideration, the Commission finds that the Petition should be granted in part, and denied in part, pursuant to Staff's recommendations as set forth in paragraph 11 of this Order.

ORDER

THE COMMISSION ORDERS:

- 21 (1) After the effective date of this Order, PacifiCorp d/b/a Pacific Power & Light Company's Petition is granted in part, and PacifiCorp d/b/a Pacific Power & Light Company is granted one-time modifications to the filings deadlines set forth in WAC 480-100-625(1-3) as set forth in paragraph 11 of this Order.
- 22 (2) The Commission otherwise denies PacifiCorp d/b/a Pacific Power & Light Company's Petition.
- 23 (3) The Commission retains jurisdiction over the subject matter and PacifiCorp d/b/a Pacific Power & Light Company to effectuate the provisions of this Order.

DATED at Lacey, Washington, and effective this November 22, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVE W. DANNER, Chair

ANN E. RENDAHL, Commissioner

MILTON H. DOUMIT, Commissioner