

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

Complainant,

v.

PACIFICORP D/B/A

PACIFIC POWER & LIGHT
COMPANY,

Respondent.

DOCKET UE-210829

CROSS-ANSWERING TESTIMONY OF

CHARLEE THOMPSON

On behalf of

NW ENERGY COALITION

September 13, 2024

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1 **I. INTRODUCTION**

2 **Q. Please state your name and business address.**

3 **A.** My name is Charlee Isabella Thompson, and I am a Policy Associate at the NW
4 Energy Coalition (“NVEC” or the “Coalition”). My business address is 811 1st Ave.,
5 Suite 305, Seattle, WA 98104.

6 **Q. Are you the same Charlee Thompson who previously filed opening testimony on**
7 **behalf of NVEC in this docket?**

8 **A.** Yes.

9 **Q. On whose behalf are you providing this cross-answering testimony?**

10 **A.** NVEC.

11 **Q. What is the purpose of this cross-answering testimony?**

12 **A.** My testimony supports the recommendations made by witness Aja DeCoteau of the
13 Columbia River Inter-Tribal Fish Commission (“CRITFC”) on four issues that will
14 help PacifiCorp address tribal energy justice. Energy equity and justice are pillars of
15 NVEC’s advocacy and are fundamental in our mission of advancing clean, affordable,
16 and equitable energy future. NVEC believes that CRITFC’s recommendations will
17 facilitate that vision.

18 **Q. Would you please summarize NVEC’s background as it relates to tribal energy**
19 **justice?**

20 **A.** NVEC advocates on the state and national levels for the removal of the four Lower
21 Snake River Dams, recognizing the critical importance of this action to the health of
22 the river and the communities that depend on it. We are honored to have the Affiliated
23 Tribes of Northwest Indians (“ATNI”) as a member of our Coalition and to have

1 partnered with ATNI to bring their perspective to NWECC conferences and outreach. I
2 acknowledge that no one on the NWECC staff shares the same lived experiences as the
3 tribal members of CRITFC. NWECC is dedicated to leveraging our longstanding role as
4 a coalition and convenor to elevate tribal voices, reasoning, and recommendations in
5 clean energy discussions and decisions.

6 **Q. Please summarize your testimony.**

7 **A.**In my testimony, I support and affirm witness DeCoteau’s recommendations and
8 suggest revisions to three of her recommendations.

9 After each recommendation, I briefly explain why NWECC is supportive. In
10 summary, witness DeCoteau’s recommendations help ensure that tribal needs and
11 priorities are met in the implementation of the current and future Clean Energy
12 Implementation Plans (“CEIPs”) while respecting the sovereignty of the Yakama
13 Nation. Her recommendations, in practice, would better serve the Company’s
14 customers, advance the Clean Energy Transformation Act’s (“CETA”) equity mandate,
15 and further establish a collaborative relationship between PacifiCorp and the Yakama
16 Nation. The revisions I suggested are intended to supplement and clarify witness
17 DeCoteau’s recommendations.

18 **Q. Is there anything else you would like to note?**

19 **A.**Yes. When I recommend “collaboration” and use versions of the term “collaborate”
20 throughout my testimony, I am referring to the term as defined by the International
21 Association of Public Participation (“IAP2”).¹

¹ Using the IAP2 Spectrum of Public Participation has been recommended and approved by the Commission in other Washington regulatory contexts, including in condition 27 of Puget

1 **II. RESPONSE TO TESTIMONY OF WITNESS DeCOTEAU**

2 **A. Yakama Nation Partnership Assessing Energy Efficiency, Weatherization, and**
3 **Distributed Generation**

4 **Q. What are witness DeCoteau’s recommendations concerning partnership with**
5 **Yakama Nation?**

6 **A.** Witness DeCoteau recommends that “PacifiCorp should be required to work directly
7 with the Yakama Nation to assess the full potential for energy efficiency, weatherization,
8 and distributed generation resource development at its customer meter locations within
9 the Yakama Reservation and the tribal communities nearby. As part of this assessment,
10 the Company should identify the barriers to development and the resources needed to
11 overcome them.”²

12 **Q. Do you support witness DeCoteau’s recommendations?**

13 **A.** Yes, and I recommend that PacifiCorp also be required to assess the full potential of
14 demand response within the Yakama Reservation and tribal communities nearby. I
15 support her recommendation for three key reasons. First, a meaningful partnership
16 with the Yakama Nation as witness DeCoteau describes respects the sovereignty of the
17 Yakama Nation by involving them in decisions that directly impact their communities.
18 Collaboratively assessing the potential for energy efficiency, weatherization, demand
19 response, and distributed generation resources will result in the most complete and
20 accurate identification of the Yakama Nation’s needs and priorities. Second, this

Sounder Energy’s 2021 CEIP. See Order 08, page 86, paragraph 316 in UTC docket UE-210795. The IAP2 Spectrum of Public Participation can be found here: https://cdn.ymaws.com/www.iap2.org/resource/resmgr/pillars/Spectrum_8.5x11_Print.pdf
² Exh. AKD-1T, page 15, lines 6-11. UTC docket UE-210829.

1 approach acknowledges the unique challenges and barriers that tribal communities
2 often face in accessing clean energy resources. By identifying and addressing these
3 barriers, PacifiCorp can help to create solutions that promote sustainable development
4 and energy equity within tribal communities. Lastly, tribal communities are designated
5 as “highly impacted communities” under CETA. CETA directs us to more equitably
6 distribute the benefits and burdens of clean energy to named communities. This
7 collaborative assessment can lead to long-term benefits for both the utility and tribal
8 communities, including enhanced energy security, reduced energy costs, and increased
9 resilience to climate change impacts.

10
11 **B. Implementing Energy Efficiency, Weatherization, and Distributed Generation**
12 **with the Yakama Nation**

13 **Q. What are witness DeCoteau’s recommendations concerning implementation?**

14 **A.** Witness DeCoteau recommends that “PacifiCorp should develop a five-year
15 development plan and budget for the energy efficiency, weatherization, and distributed
16 generation resource development identified in its assessment.”³

17 **Q. Do you support witness DeCoteau’s recommendations?**

18 **A.** Yes, and I recommend adding “demand response” to the development plan. A
19 development plan provides a roadmap for implementing initiatives identified in the
20 assessment, ensuring that the benefits are realized in a timely and organized manner. A
21 defined timeline and budget will help PacifiCorp allocate resources effectively and
22 prioritize actions. With these components, the Company and Yakama Nation are able

³ Exh. AKD-1T, page 15, lines 12-14. UTC docket UE-210829.

1 to continually monitor progress against their plan and adjust if necessary. Finally, the
2 five-year duration of the plan would demonstrate PacifiCorp's commitment to
3 sustained collaboration with the Yakama Nation and surrounding tribal communities,
4 building trust and fostering stronger partnerships.

5 **C. Modeling Impacts of the Columbia Basin Hydroelectric System**

6 **Q. What are witness DeCoteau's recommendations concerning modeling impacts of**
7 **the Columbia Basin's hydroelectric system?**

8 **A.** Witness DeCoteau recommends that "PacifiCorp should be required to model the
9 impacts of the Columbia Basin's mainstem hydroelectric system operations on
10 anadromous and other natural resources under current operating limits set for salmonid
11 protection and the costs associated with the protective limits on operations. The
12 purpose of this exercise is to better understand the true costs of market resources
13 during certain load hours wherein hydroelectric, nuclear, and carbon-based generators
14 are the only generators producing electricity at those times."⁴

15 **Q. Do you support witness DeCoteau's recommendations?**

16 **A.** Yes, though I suggest a few revisions that will help clarify this recommendation.
17 Witness DeCoteau's recommendation is well-founded. Ensuring that modeling of the
18 regional hydrosystem includes operational requirements for fish and that a process is
19 in place to analyze the system's impacts on fish and natural resources would provide
20 critical insights for decision-making regarding often excluded environmental costs and
21 tribal resources associated with current hydroelectric operations.

⁴ Exh. AKD-1T, page 15, lines 15-21. UTC docket UE-210829.

1 It's my understanding that CRITFC would like to know how much PacifiCorp
2 will lean on hydro resources in times of need based on the Company's resource
3 portfolio. CETA calls for energy equity. Answering this question is a key part of what
4 energy equity means to CRITFC's member tribes.

5 PacifiCorp does basic modeling of all resources in the west, including
6 Northwest federal and non-federal hydro. It would be important for CRITFC, the
7 Yakama Nation, and other interested parties to learn more about how the Company
8 models regional hydro because, while PacifiCorp doesn't own resources on the
9 Columbia River or Snake River, it is still affected by what happens on these dams.

10 Federal and non-federal hydro system data from mainstem Columbia Basin
11 dams is publicly available from the Northwest Power Council and may be a resource to
12 support this work.

13 While I support the intention of witness DeCoteau's recommendation, more
14 details for the goals and modeling process should be clarified in a collaborative
15 stakeholder process. I suggest that the Commission adopt a revised recommendation
16 that requires PacifiCorp to:

- 17 1) Convene with CRITFC, the Yakama Nation, and other interested
18 parties to discuss the goals and intended outcomes of modeling
19 impacts of the Columbia Basin's mainstem hydroelectric system
20 operations on anadromous and other natural resources under current
21 operating limits set for salmonid protection and the costs associated
22 with the protective limits on operations.

1 its Equity Advisory Group (“EAG”) on which one member— Raymond Wiseman, an
2 employee of Yakama Power— sat. Written feedback that the EAG provided
3 concerning tribal priorities included a concern whether the EAG had been “collectively
4 thinking about the range of dynamics such as: Yakama native experiences/realities”⁷, a
5 suggestion to reach out to Avista “to better understand ways to engage tribal nations”⁸,
6 and a question for the Company about how the CBI for culturally and linguistically
7 appropriate outreach would be measured for the Yakama Nation.⁹ The Company
8 responded that it “will primarily look at this through the program design to ensure that
9 the company is listening and engaging well with people” and that PacifiCorp
10 “welcome[s] suggestions for metrics that might be more appropriate.”¹⁰

11 These comments from the EAG make it clear that there is more work to do to
12 represent tribal priorities in CEIPs and CBIs. Furthermore, while PacifiCorp stated that
13 it was open to additional metric suggestions to improve its CBIs and address the
14 Yakama Nation’s concern, this response put the entire burden of tribal CBI/metric
15 ideation on a single representative of Yakama Nation’s utility on their EAG.

16 PacifiCorp must be more proactive and inclusive by collaborating with the Yakama
17 Nation and CRITFC in the EAG and other venues outside of the EAG in advance of
18 filing a draft CEIP in order to gather feedback on existing CBIs/metrics and potential

⁷ Appendix A to the Revised 2021 CEIP, comment number 28. Filed on March 13, 2023 in UTC docket UE-210829.

⁸ Appendix A to the Revised 2021 CEIP, comment number 16. Filed on March 13, 2023 in UTC docket UE-210829.

⁹ Appendix A to the Revised 2021 CEIP, comment number 115. Filed on March 13, 2023 in UTC docket UE-210829.

¹⁰ Appendix A to the Revised 2021 CEIP, response number 115. Filed on March 13, 2023 in UTC docket UE-210829.

1 new ones. Proactive and inclusive collaboration includes early engagement and follow-
2 ups, providing materials ahead of time, and clear communication of deadlines.

3 Witness DeCoteau's recommendation is commitment from the Company to
4 improve tribal engagement in the creation of CBIs and to develop CBIs and metrics
5 that reflect tribal priorities in the 2025 CEIP. While valued and encouraging that a
6 Yakama Power representative sat on the EAG during the development of the 2021
7 CEIP, the Company should collaborate with more than a single individual if it aims to
8 truly understand their needs, ideas, and feedback.

9
10 **III. CONCLUSION**

11 **Q. What are your recommendations?**

12 **A.** NWEC recommends that the Commission adopt witness DeCoteau's recommendation:

- 13 1) "PacifiCorp work with the Yakama Nation and CRITFC to develop
14 Community Benefit Indicators that reasonably reflect the Yakama Nation's
15 treaty rights and the lives of its people, as expressed through their
16 traditions, culture, and needs."

17 NWEC recommends that the Commission adopt a revised version of witness
18 DeCoteau's recommendation regarding an assessment in partnership with the Yakama
19 Nation to include demand response. The revised recommendation would then read:

- 20 2) "PacifiCorp should be required to work directly with the Yakama Nation to
21 assess the full potential for energy efficiency, weatherization, *demand*
22 *response*, and distributed generation resource development at its customer
23 meter locations within the Yakama Reservation and the tribal communities

1 nearby. As part of this assessment, the Company should identify the barriers
2 to development and the resources needed to overcome them.” (emphasis
3 added)

4 NWEC recommends that the Commission adopt a revised version of witness
5 DeCoteau’s recommendation regarding a five-year development plan to include
6 demand response. The revised recommendation would then read:

7 3) “PacifiCorp should develop a five-year development plan and budget for
8 the energy efficiency, weatherization, *demand response*, and distributed
9 generation resource development identified in its assessment.” (emphasis
10 added)

11 NWEC recommends that the Commission adopt revised version of witness
12 DeCoteau’s recommendation regarding modeling impacts of the Columbia Basin
13 hydroelectric system. The revised recommendation would then read:

14 4) “The Commission should order PacifiCorp to:

15 i. Convene with CRITFC, the Yakama Nation, and other interested
16 parties to discuss the goals and intended outcomes of modeling
17 impacts of the Columbia Basin’s mainstem hydroelectric system
18 operations on anadromous and other natural resources under current
19 operating limits set for salmonid protection and the costs associated
20 with the protective limits on operations.

21 ii. Convene with CRITFC, the Yakama Nation, and other interested
22 parties to discuss the modeling process, including key parameters
23 and data sources.

1 iii. Inform CRITFC, the Yakama Nation, and other interested parties on
2 PacifiCorp’s progress to include the collaboratively-determined
3 modeling process in the 2025 IRP and future IRPs.”

4 **Q. Does this conclude your testimony?**

5 **A. Yes.**