

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

In the Matter of the Petition of)	DOCKET UE-090413
)	
PACIFIC POWER & LIGHT)	ORDER 01
COMPANY,)	
)	DOCKET UE-081475
Petitioner,)	
)	ORDER 02
)	
)	ORDER GRANTING
Seeking Temporary Exemption from)	TEMPORARY
the Provisions of WAC 480-100-)	EXEMPTION FROM RULE;
238(4) Relating to the Timing of)	AMENDING DOCKET UE-081475
Integrated Resource Plan Filings)	ORDER 01
.....)	

BACKGROUND

- 1 On March 18, 2009, Pacific Power & Light Company (PacifiCorp or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting a temporary exemption from WAC 480-100-238(4), thereby requiring an amendment to the order setting the filing date for the Company’s integrated resource plans (IRP) to March 31 of odd-numbered years. The petition requests a one-time extension for the 2008 IRP from March 31, 2009, to May 29, 2009.
- 2 WAC 480-100-238(4) requires electric companies to file an integrated resource plan within two years of its previous filing or as required by the Commission. PacifiCorp’s next integrated resource plan is due on March 31, 2009, by order of the Commission dated December 11, 2008.¹
- 3 In its petition, the Company explains its recent decision to postpone a major resource in its East Control Area as the result of “the worsening recessionary environment,” among other reasons. The Company further explains that as part of its review of the postponement, it “developed a load forecast reflecting an updated assessment of recessionary impacts on load growth throughout the Company’s service territory.”

¹ Docket UE-081475, Order 01, Paragraph 12.

- 4 Commission Staff believes that the selection and timing of the lowest reasonable cost resource is strongly impacted by the accuracy of the load forecast. Because the regional and national economic growth has slowed significantly since the demand forecast was first produced, granting the temporary exemption more appropriately serves the public interest and the underlying purpose of the IRP rule.
- 5 The Company committed to Staff that, if the Commission grants the extension, the draft IRP would be available by April 13, 2009. This meets the Company's commitment in its 2008 petition for an extension² that the draft IRP would be available for a 30-day public review and comment period before the final IRP is issued.
- 6 Commission Staff recommends granting PacifiCorp's request for a temporary exemption from WAC 480-100-238(4), thereby amending Order 01 in Docket UE-081475 and allowing the Company to file its 2008 IRP on May 29, 2009.

FINDINGS AND CONCLUSIONS

- 7 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including electric companies.
RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.28.
- 8 (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.
- 9 (3) PacifiCorp is subject to WAC 480-100-238, which requires electric companies to file integrated resource plans.
- 10 (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.*

² Docket UE-081475, Original petition.

- 11 (5) This matter came before the Commission at its regularly scheduled meeting on March 26, 2009.
- 12 (6) After reviewing PacifiCorp's petition filed in Docket UE-090413 on March 18, 2009, and giving due consideration, the Commission finds that the exemption and amendment are reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 13 (1) After the effective date of this Order, Pacific Power & Light Company's request for a temporary exemption from WAC 480-100-238(4) is granted and Commission Order 01 in Docket UE-081475 is amended to allow the Company to file its 2008 integrated resource plan on May 29, 2009.
- 14 (2) The Commission retains jurisdiction over the subject matter and Pacific Power & Light Company to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective March 26, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFFREY D. GOLTZ, Chairman

PHILIP B. JONES, Commissioner