

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

In the Matter of the Request of)	DOCKET UE-100293
)	
PACIFICORP, d/b/a PACIFIC)	ORDER 01
POWER,)	
)	
Petitioner,)	ORDER GRANTING LESS THAN
)	STATUTORY NOTICE; ALLOWING
For Less Than Statutory Notice in)	TARIFF REVISION TO BECOME
Connection with Tariff Revisions)	EFFECTIVE
.....)	

BACKGROUND

- 1 On February 17, 2010, PacifiCorp, d/b/a Pacific Power, (PacifiCorp or Company) filed with the Washington Utilities and Transportation Commission (Commission) a revision to its currently effective Tariff WN U-74, designated as Second Revision of Sheet No. 37.1, Schedule 37, Cogeneration and Small Power Production. The purpose of the revision is to increase the availability of the tariff to qualifying facilities (QFs) with an output of two megawatts or less. The existing tariff is available to QFs with an output of one megawatt or less.
- 2 RCW 80.28.060 and WAC 480-80-121 require the Company to provide the Commission thirty days’ notice prior to the effective date of the tariff. The tariff sheet bears an effective date of March 19, 2010. This date recognizes the required 30-day statutory notice. However, the Company requests less than statutory notice as permitted by WAC 480-80-122, and that the revision becomes effective February 26, 2010. PacifiCorp requests less than statutory notice to expand the availability of this schedule to more customers as soon as possible.
- 3 WAC 480-100-193 requires notice to customers or publication of the tariff change sought in this filing on its Web site, and on customer bills, providing a reference to the Web site and a toll-free telephone number that customers may call for assistance. PacifiCorp proposes to notify customers by posting the changes on its Web site and through direct notification to known affected customers.

4 The expansion of the availability of purchases at the avoided cost from sellers of small power production or cogeneration facilities will further the goals of state policy to encourage distributed generation.

5 Since the proposed tariff revision appears to be fair, just, reasonable and sufficient, and less than statutory notice is consistent with the public interest, it is appropriate that the Commission grant PacifiCorp's request with an effective date of February 26, 2010.

FINDINGS AND CONCLUSIONS

6 (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, 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.

7 (2) PacifiCorp is an electric company and a public service company subject to Commission jurisdiction.

8 (3) PacifiCorp is subject to RCW 80.28.060 and WAC 480-80-121, which require electric companies to file changes in any rate, charge or service with 30 days' notice. For good cause shown, however, the Commission may allow changes without requiring thirty days' notice by order specifying the changes to be made and the time when the Order shall take effect. *WAC 480-80-122.*

9 (4) Staff has reviewed PacifiCorp's request in Docket UE-100293 and recommends the Commission grant the Company's request for less than statutory notice. Staff further recommends the Commission require PacifiCorp to notify customers by posting the changes on its web site and through direct notification to known affected customers per the requirements of WAC 480-100-193.

10 (5) This matter came before the Commission at its regularly scheduled meeting on February 25, 2010.

- 11 (6) After reviewing PacifiCorp's proposed tariff revision filed on February 17, 2010, and giving due consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revision should become effective February 26, 2010.

O R D E R

THE COMMISSION ORDERS:

- 12 (1) PacifiCorp, d/b/a Pacific Power's request for less than statutory notice is granted.
- 13 (2) After the effective date of this Order, PacifiCorp, d/b/a Pacific Power must provide notice to customers by posting the changes on its web site and through direct notification to known affected customers.
- 14 (3) The tariff revision PacifiCorp, d/b/a Pacific Power filed on February 17, 2010, will be effective on February 26, 2010.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective February 25, 2010.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary