

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

In the Matter of the Petition of	)	DOCKET UE-130031
	)	
PACIFIC POWER & LIGHT	)	ORDER 01
COMPANY,	)	
	)	
Petitioner,	)	
	)	
Seeking Temporary Exemption from	)	
the Provisions of WAC 480-100-	)	ORDER GRANTING
238(4) Relating to the Timing of	)	TEMPORARY
Integrated Resource Plan Filings	)	EXEMPTION FROM RULE
.....	)	

**BACKGROUND**

- 1     On January 8, 2013, 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). The petition requests a one-time extension of the filing date for the 2013 Integrated Resource Plan (IRP) from March 31, 2013, to April 30, 2013. WAC 480-100-238(4) requires electric companies to submit an IRP within two years of the date of its previous filing.
- 2     In its petition, the Company explains that recent schedule changes by the United States Environmental Protection Agency (EPA) regarding the regulation of major generation resources prompted PacifiCorp to modify its schedule for modeling efforts underway to prepare the 2013 IRP. A Consent Decree deadline requiring the EPA to take final action on the Wyoming Regional Haze State Implementation Plan (SIP) by October 15, 2012, was revised to December 14, 2012. As a result of this revised deadline, PacifiCorp suspended the modeling work it was doing in preparation of the 2013 IRP, intending to re-start the modeling process once EPA’s final action was made available and its impacts were assessed. Additionally, on December 5, 2012, the EPA approved, in part, Arizona’s Regional Haze SIP prompting PacifiCorp to update its base case modeling assumptions.
- 3     Commission Staff has reviewed the request and participated in discussions on this matter with PacifiCorp’s IRP Technical Advisory Committee. Commission Staff believes that the selection and timing of the lowest reasonable cost resource may be significantly impacted by EPA’s decisions regarding emissions requirements in the states of Arizona and Wyoming. Given recent action by the EPA on the SIPs for Arizona and Wyoming,

granting the temporary exemption enables the Company to more accurately evaluate the selection and timing of the lowest reasonable cost resource and more appropriately serves the public interest.

4 Commission Staff recommends granting PacifiCorp's request for a temporary exemption from WAC 480-100-238(4), thereby allowing the Company to file its 2013 IRP by April 30, 2013.

### **FINDINGS AND CONCLUSIONS**

- 5 (1) The Washington Utilities and Transportation 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 gas companies. RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.28.
- 6 (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.
- 7 (3) PacifiCorp is subject to WAC 480-100-238(4), which requires electric companies to submit an IRP within two years after the date on which the previous plan was filed with the Commission.
- 8 (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.
- 9 (5) This matter came before the Commission at its regularly scheduled meeting on January 31, 2013.
- 10 (6) After reviewing PacifiCorp's petition filed in Docket UE-130031 on January 8, 2013, and giving due consideration, the Commission finds that the exemption is reasonable, in the public interest, and therefore should be granted.

**ORDER**

**THE COMMISSION ORDERS:**

- 11 (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, allowing Pacific Power & Light Company to file its 2013 Integrated Resource Plan on or before April 30, 2013.
- 12 (2) The Commission retains jurisdiction over the subject matter and Pacific Power & Light Company to effectuate the provisions of this Order.

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 January 31, 2013.

**WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION**

**DAVID W. DANNER, Executive Director and Secretary**