**BEFORE THE WASHINGTON**

**UTILITIES AND TRANSPORTATION COMMISSION**

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| WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,  Complainant,  v.  Company 1PACIFIC POWER & LIGHT COMPANY,  Co. 1  Respondent. |  | DOCKET UE-090000UE-161204  ORDER 0103  PREHEARING CONFERENCE ORDER; NOTICE OF HEARING  **(Set for June 16 and 19, 2017, at 9 a.m.)** |

1. **NATURE OF PROCEEDING.** On January 1, 2025November 14, 2016, Pacific Power & Light Company (Pacific Power or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-01WN U-75, Rule 1 – General Rules and Regulations; Rule 4 – Application for Electric Service; Rule 6 – Facilities on Customer’s Premises; and Schedule 300 – Charges as Defined by the Rules and Regulations. The Company requests approval of modifications to its permanent disconnection and removal procedures to eliminate confusion and avoid cost shifting when its customers disconnect service to receive electric service from another energy provider.
2. **CONFERENCE.** The Commission convened a prehearing conference in this docket at Olympia, Washington, on December 20, 2016, before Administrative Law Judge Rayne Pearson.
3. **APPEARANCES.** Dustin Till, Senior Counsel, Portland, Oregon, represents Pacific Power. Lisa W. Gafken, Assistant Attorney General, Seattle, Washington, represents the Public Counsel Unit of the Office of the Washington Attorney General (Public Counsel). Christopher M. Casey, Assistant Attorney General, Olympia, Washington, represent the Commission’s regulatory staff (Staff).[[1]](#footnote-1) Jesse E. Cowell, Davison Van Cleve, P.C., Portland, Oregon, represents Boise White Paper, L.L.C. (BWP). Simon J. ffitch, Attorney at Law, Bainbridge Island, Washington, represents The Energy Project. Stanley M. Schwartz, Witherspoon Kelley, Spokane, Washington, and Tyler C. Pepple, Davison Van Cleve, P.C., Portland, Oregon, represent Columbia Rural Electric Association (CREA). J.D. Williams, Williams Moses LP, Portland, Oregon, represents Yakama Power. Contact information for the parties’ representatives is attached as Appendix A to this order.
4. **PETITIONS FOR INTERVENTION.** The following organizations filed petitions to intervene:

BWP  
The Energy Project  
CREA  
Yakama Power

1. No party objected to the petitions for intervention from BWP and The Energy Project. The Commission finds each of these petitioners has established a substantial interest in this proceeding and that its participation will be in the public interest.
2. Pacific Power opposes the intervention of CREA and Yakama Power. The Commission will rule on those parties’ petitions for intervention in a subsequent order.
3. **AGREEMENT TO ELECTRONIC SERVICE.** All parties have agreed to receive service electronically from the Commission. The Commission may serve only electronic copies of documents in this docket.
4. **PROTECTIVE ORDER.** The parties ask that the Commission enter a standard protective order to protect the confidentiality of proprietary information. The Commission granted the request and will enter a protective order in this docket.
5. **DISCOVERY.** The parties may conduct discovery pursuant to the Commission’s discovery rules, WAC 480-07-400 – 425. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters to the Commission for formal resolution.
6. **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule during the conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B. That schedule, however, does not include a date for an initial settlement conference as specified in WAC 480-07-700(3)(a). The parties must confer and propose a date for that settlement conference by December 28, 2016.
7. **DOCUMENT FILING REQUIREMENTS.** Parties must file all pleadings, motions, briefs, and other prefiled materials in compliance with all of the following requirements:
8. Parties must submit electronic copies in native Microsoft format (Word, Excel, etc.) and searchable Adobe Acrobat (.pdf) of all documents by 5:00 p.m. on the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. If any of the documents contain information that is designated as confidential, the party must also file an electronic copy (in Adobe Acrobat (.pdf) of the redacted version of each such document. Parties must comply with WAC 480-07-140(5) in organizing and identifying electronic files. Parties may submit documents electronically through the Commission’s Web Portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)) or by email to [records@utc.wa.gov](mailto:records@utc.wa.gov).
9. Parties must file **five** paper copies (with original signatures, if applicable) of the documents with the Commission by 5:00 p.m. on the first business day following the filing deadline as provided in WAC 480-07-145(6). The documents must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. All hard copy filings must be mailed or delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250.
10. Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judge (rpearson@utc.wa.gov) by 5:00 p.m. on the filing deadline unless the Commission orders otherwise. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive only.
11. **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **noon** on **June 12, 2017.** The Commission requires electronic copies in native format, if available, and searchable Adobe Acrobat (.pdf) and five paper copies of the exhibits. If any of the exhibits contain information that is designated as confidential or highly confidential, the party must also file one electronic copy (in Adobe Acrobat (.pdf)) and one paper copy of the redacted version of each such exhibit. The exhibits must be grouped according to the witness the party intends to cross examine with the exhibits. The paper copies of the exhibits also must be organized into sets that are tabbed and labeled.
12. **EXHIBIT LISTS**. Each party must file a list of all exhibits the party intends to introduce into the evidentiary record, including all prefiled testimony and exhibits, as well as cross-examination exhibits. The parties must file and serve their exhibit lists by **noon** on **June 12, 2017**.
13. **CROSS-EXAMINATION TIME ESTIMATES**. Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of that witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judge and the other parties by **noon** on **June 12, 2017**.
14. **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter on **June 16, 2017,** at **9:00 a.m.**, in the Commission’s Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The hearing is scheduled to continue on June 19, 2017, as necessary.
15. **ALTERNATE DISPUTE RESOLUTION**. The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Gregory J. Kopta, Director, Administrative Law Division ([gkopta@utc.wa.gov](mailto:gkopta@utc.wa.gov) or 360-664-1355).
16. **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective December 22, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RAYNE PEARSON  
Administrative Law Judge

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| APPENDIX A | | | |
| PARTIES’ REPRESENTATIVES **DOCKET UE-161204** | | | |
| PARTY | **REPRESENTATIVE** | **PHONE** | **E-MAIL** |
| Pacific Power | Dustin Till  Senior Counsel  825 NE Multnomah St., Suite 1800  Portland, OR 97232 | 503-813-6589 | [dustin.till@pacificorp.com](mailto:dustin.till@pacificorp.com) |
| R. Bryce Dalley  Vice President | [washingtondockets@pacificorp.com](mailto:washingtondockets@pacificorp.com) |
| Ariel Son  Washington Regulatory Manager | [ariel.son@pacificorp.com](mailto:ariel.son@pacificorp.com) |
| Data Requests | [datarequest@pacificorp.com](mailto:datarequest@pacificorp.com) |
| Staff | Christopher M. Casey  Assistant Attorney General  Office of the Attorney General  Utilities and Transportation Division  1400 S. Evergreen Park Drive SW  P.O. Box 40128  Olympia, WA 98504-0128 | 360-664-1189 | [ccasey@utc.wa.gov](mailto:ccasey@utc.wa.gov) |
| Jeff Roberson  Assistant Attorney General |  | [jroberso@utc.wa.gov](mailto:jroberso@utc.wa.gov) |
| Krista Gross  Legal Assistant | [kgross@utc.wa.gov](mailto:kgross@utc.wa.gov) |
| Betsy DeMarco  Legal Assistant | [bdemarco@utc.wa.gov](mailto:bdemarco@utc.wa.gov) |
| Public Counsel | Lisa W. Gafken  Assistant Attorney General  Washington Attorney General’s Office  Public Counsel Unit  800 5th Avenue, Suite 2000  Seattle, WA 98104-3188 | 206-464-6595 | [Lisa.gafken@atg.wa.gov](mailto:Lisa.gafken@atg.wa.gov) |
| Corey Dahl  Regulatory Analyst | [coreyd@atg.wa.gov](mailto:coreyd@atg.wa.gov) |
| Mary Kimball  Senior Regulatory Analyst | [maryk2@atg.wa.gov](mailto:maryk2@atg.wa.gov) |
| Chanda Mak  Legal Assistant | [chandam@atg.wa.gov](mailto:chandam@atg.wa.gov) |
| Vick Walker  Legal Assistant | [vickw@atg.wa.gov](mailto:vickw@atg.wa.gov) |
| Columbia Rural Electric Association | Tyler C. Pepple  Davison Van Cleve, P.C.  333 S.W. Taylor, Suite 400  Portland, OR 97204 | 503-241-7242 | [tcp@dvclaw.com](mailto:tcp@dvclaw.com) |
| Stanley M. Schwartz  Witherspoon Kelley  422 Riverside Ave., Suite 1100  Spokane, WA 99201 |  |
| Bradley Mullins | [brmullins@mwanalytics.com](mailto:brmullins@mwanalytics.com) |
| The Energy Project | Simon J. ffitch  Attorney at Law  321 High School Rd. NE  Suite D3, Box No. 383  Bainbridge Island, WA 98110 | 206-669-8197 | [simon@ffitchlaw.com](mailto:simon@ffitchlaw.com) |
| Shawn Collins  The Energy Project | [Shawn\_collins@oppco.org](mailto:Shawn_collins@oppco.org) |
| Carol Baker  Legal Assistant | [carol@ffitchlaw.com](mailto:carol@ffitchlaw.com) |
| Boise White Paper, LLC | Jesse Cowell  Davison Van Cleve, P.C.  333 S.W. Taylor, Suite 400  Portland, OR 97204 | 503-241-7242 | [jec@dvclaw.com](mailto:jec@dvclaw.com) |
| Patrick Loupin  Corporate Purchasing Manager |  | [patrickloupin@packagingcorp.com](mailto:patrickloupin@packagingcorp.com) |
| Bradley Mullins  Independent Contractor |  | [brmullins@mwanalytics.com](mailto:brmullins@mwanalytics.com) |
| Jesse Gorsuch  Paralegal |  | [jog@dvclaw.com](mailto:jog@dvclaw.com) |
| Yakama Power | J.D.Williams  Williams Moses LP  P.O. Box 11024  Portland, OR 97211 | 971-404-9081 | [jd@williamsmoses.com](mailto:jd@williamsmoses.com) |
| Ray Wiseman  General Manager, Yakama Power | [ray@yakamapower.com](mailto:ray@yakamapower.com) |

**APPENDIX B**

### PROCEDURAL SCHEDULE

**DOCKET UE-161204**

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| EVENT | DATE |
| Staff and Intervenor Response Testimony and Exhibits[[2]](#footnote-2) | **April 21, 2017** |
| Settlement Conference(s) | **TBD** |
| Public Comment Hearing (if needed) | **TBD** |
| Pacific Power Rebuttal Testimony and Exhibits; Staff and Intervenor Cross-Answering Testimony and Exhibits[[3]](#footnote-3) | **May 17, 2017** |
| Discovery Deadline | **May 31, 2017** |
| Cross-Examination Exhibits, Witness Lists, and Time Estimates | **June 12, 2017**  **(by noon)** |
| Evidentiary Hearing | **June 16 and 19, 2017 at 9 a.m.** |
| Initial Post-Hearing Briefs | **July 28, 2017** |
| Reply Briefs (25 page limit) | **August 17, 2017** |
| Suspension Date | **October 15, 2017** |

1. In formal proceedings such as this, the Commission’s regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners’ policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. *See* RCW 34.05.455. [↑](#footnote-ref-1)
2. Response time to data requests after this date will be 7 business days. [↑](#footnote-ref-2)
3. Response time to data requests after this date will be 5 business days. [↑](#footnote-ref-3)