

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PACIFIC POWER & LIGHT
COMPANY,

Respondent.

DOCKET UE-161204

ORDER 03

PREHEARING CONFERENCE
ORDER; NOTICE OF HEARING
(Set for June 16 and 19, 2017, at 9
a.m.)

- 1 **NATURE OF PROCEEDING.** On November 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-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 Jesse E. Cowell, Davison Van Cleve, P.C., Portland, Oregon, represents Boise White Paper, L.L.C. (BWP). Simon J. ffitich, Attorney

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.

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

5 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.

6 Pacific Power opposes the intervention of CREA and Yakama Power. The Commission will rule on those parties' petitions for intervention in a subsequent order.

7 **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.

8 **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.

9 **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.

10 **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.

11 **DOCUMENT FILING REQUIREMENTS.** Parties must file all pleadings, motions, briefs, and other prefiled materials in compliance with all of the following requirements:

- (a) 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) or by email to records@utc.wa.gov.
- (b) 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.
- (c) 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.

12 **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.

- 13 **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.**
- 14 **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.**
- 15 **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.
- 16 **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 or 360-664-1355).
- 17 **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

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@pacificcorp.com
	R. Bryce Dalley Vice President		washingtondockets@pacificcorp.com
	Ariel Son Washington Regulatory Manager		ariel.son@pacificcorp.com
	Data Requests		datarequest@pacificcorp.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
	Jeff Roberson Assistant Attorney General		jroberso@utc.wa.gov
	Krista Gross Legal Assistant		kgross@utc.wa.gov
	Betsy DeMarco Legal Assistant		bdemarco@utc.wa.gov
Public Counsel	Lisa W. Gafken Assistant Attorney General Washington Attorney General's Office Public Counsel Unit 800 5 th Avenue, Suite 2000 Seattle, WA 98104-3188	206-464-6595	Lisa.gafken@atg.wa.gov
	Corey Dahl Regulatory Analyst		coreyd@atg.wa.gov
	Mary Kimball Senior Regulatory Analyst		maryk2@atg.wa.gov
	Chanda Mak Legal Assistant		chandam@atg.wa.gov
	Vick Walker Legal Assistant		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
	Stanley M. Schwartz Witherspoon Kelley 422 Riverside Ave., Suite 1100 Spokane, WA 99201		
	Bradley Mullins		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
	Shawn Collins The Energy Project		Shawn_collins@oppco.org
	Carol Baker Legal Assistant		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
	Patrick Loupin Corporate Purchasing Manager		patrickloupin@packagingcorp.com
	Bradley Mullins Independent Contractor		brmullins@mwanalytics.com
	Jesse Gorsuch Paralegal		jog@dvclaw.com
Yakama Power	J.D. Williams Williams Moses LP P.O. Box 11024 Portland, OR 97211	971-404-9081	jd@williamsmoses.com
	Ray Wiseman General Manager, Yakama Power		ray@yakamapower.com

**APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UE-161204**

EVENT	DATE
Staff and Intervenor Response Testimony and Exhibits 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	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

² Response time to data requests after this date will be 7 business days.

³ Response time to data requests after this date will be 5 business days.