

WUTC v. PacifiCorp dba Pacific Power & Light Company

Docket No. UE-230877 - Vol. II

June 20, 2024



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BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	
)	
vs.)	DOCKET UE-230877
)	
PACIFICORP d/b/a PACIFIC POWER &)	
LIGHT COMPANY,)	
)	
Respondent.)	PAGES 16 - 22
)	

VIRTUAL PUBLIC COMMENT HEARING - VOL II

June 20, 2024

Washington Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, Washington 98504

TRANSCRIBED BY: ELIZABETH PATTERSON HARVEY,
FAPR, RPR, WA CCR 2731

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A P P E A R A N C E S

FOR THE COMMISSION:

Chair Dave Danner
Commissioner Milt Doumit
Commissioner Ann Rendahl

FOR PUBLIC COUNSEL:

Rob Sykes
Robert.Sykes@atg.wa.gov
Attorney General of Washington
Public Counsel Unit
800 Fifth Avenue, Suite 2000
Seattle, Washington 98104
206.464.6595

ALSO PRESENT:

Andrew Roberts

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1 June 20, 2024 - 6:00 p.m.

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4 CHAIR DANNER: Let's go on the record.

5 All right. Good evening, everyone. This is
6 a public comment hearing of the Washington Utilities and
7 Transportation Commission to hear from members of the
8 public regarding a petition by PacifiCorp, doing business
9 as Pacific Power & Light, to limit liability for damages
10 arising out of the provision of electric service. And
11 this is Docket UE-230877.

12 I'm Dave Danner. I'm chair of the
13 commission. I'm joined by my colleagues, Commissioner
14 Milt Doumit and Commissioner Ann Rendahl.

15 In this proceeding, PacifiCorp has petitioned
16 the commission to revise its tariff WN U-76 to limit the
17 company's financial liability for damages arising out of
18 the company's provision of electric service to actual
19 damages; to exclude atypical damages, including special
20 noneconomic, punitive, incidental, indirect, or
21 consequential damages.

22 And this limitation would apply only
23 prospectively and for actions arising out of the
24 provision of electric service, and would not apply where
25 state law otherwise disallows limitation.

1 This matter is currently being adjudicated
2 before the UTC. And the UTC will hear oral arguments on
3 August 1.

4 There are three parties to the adjudication:
5 The company; the UTC regulatory staff, which is an
6 independent party to the case, and its decisions are not
7 determined by the commissioners who sit as judges; and
8 finally, the Washington Attorney General's Office Public
9 Counsel Unit, which represents residential and small
10 business customers of PacifiCorp's Washington service
11 territories in matters before the UTC.

12 We've also received a joint friend of the
13 court filing from Puget Sound Energy and Avista, as well
14 as a joint filing from the Northwest Energy Coalition,
15 The Energy Project, and the Sierra Club.

16 So at this point, let me ask again if there
17 is anyone on the call who wishes to make a public comment
18 in this proceeding.

19 All right. It appears none, that we don't
20 have anyone signed up to comment tonight.

21 So Andrew, we won't need to go through the
22 logistics.

23 I will, however, ask public counsel, we are
24 still taking written comments. We have received several
25 in this docket. And I would like your thoughts on what

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1 the deadline for written comments should be.

2 ATTORNEY SYKES: Thank you, Mr. Chair.

3 Public counsel recommends that the deadline for written
4 comment be the date of the hearing.

5 CHAIR DANNER: Okay.

6 ATTORNEY SYKES: That the deadline for
7 submitting the exhibit with all the public comments would
8 be the week after the hearing.

9 CHAIR DANNER: Okay. So that would be August
10 1?

11 ATTORNEY SYKES: Yes.

12 CHAIR DANNER: And the -- let me look at my
13 calendar here. August 1 is a Thursday.

14 And then -- so close of business August 8, or
15 -- yeah, August 8 would be the deadline for submission,
16 or for getting the exhibit to us?

17 ATTORNEY SYKES: Yes.

18 CHAIR DANNER: Okay. Commissioner Rendahl,
19 Commissioner Doumit, does that date sound okay with
20 you?

21 COMMISSIONER RENDAHL: Yes, that's great.
22 Thank you.

23 COMMISSIONER DOUMIT: Yes. Good here. Thank
24 you.

25 CHAIR DANNER: All right. Thank you very

1 much, Commissioners.

2 At this point, then, since no one has signed
3 up or no one is raising their hand to speak, let me just
4 go out one more time. Is there anyone here on the call
5 who wishes to make a public comment tonight?

6 All right. Hearing nothing, then, we will
7 adjourn the hearing. And I want to thank everybody for
8 coming and attending. And we will adjourn this, and then
9 I will see you all on August 1 for our oral argument.

10 So with that, we're adjourned. Thank you
11 all.

12 COMMISSIONER RENDAHL: Thank you.

13 (Proceedings concluded at 6:05 p.m.)

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1 C E R T I F I C A T E

2

3 STATE OF WASHINGTON)

4) ss

5 COUNTY OF KING)

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7 I, Elizabeth Patterson Harvey, a Certified
 8 Court Reporter and Registered Professional Reporter
 9 within and for the State of Washington, do hereby
 10 certify under penalty of perjury that the foregoing legal
 11 recordings were transcribed under my direction; that I
 12 received the electronic recording in the proprietary
 13 format; that I am not a relative or employee of any
 14 attorney or counsel employed by the parties hereto, nor
 15 financially interested in its outcome.

16 IN WITNESS WHEREOF, I have hereunto set my
 17 hand this 2nd day of July, 2024.

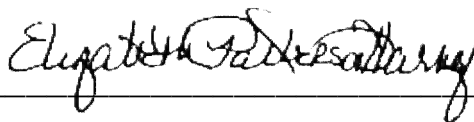
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23 Elizabeth Patterson Harvey, CCR 2731

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