

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

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4 **FOR THE COMMISSION:**

5 Chair Dave Danner

6 Commissioner Milt Doumit

7 Commissioner Ann Rendahl

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10 **FOR PUBLIC COUNSEL:**

11 Rob Sykes

12 Robert.Sykes@atg.wa.gov

13 Attorney General of Washington

14 Public Counsel Unit

15 800 Fifth Avenue, Suite 2000

16 Seattle, Washington 98104

17 206.464.6595

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20 **ALSO PRESENT:**

21 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.

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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

1 (Pages 16 to 19)

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 CERTIFICATE
 2
 3 STATE OF WASHINGTON)
 4) ss
 5 COUNTY OF KING)
 6
 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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 21
 22
 23 Elizabeth Patterson Harvey, CCR 2731
 24
 25



Elizabeth Patterson Harvey

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