

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of	)	DOCKET UE-230482
	)	
PACIFICORP d/b/a PACIFIC POWER & LIGHT COMPANY,	)	MOTION FOR PERMISSION TO REPLY TO PACIFICORP’S RESPONSE TO ALLIANCE OF WESTERN ENERGY
2022 Power Cost Adjustment Mechanism.	)	CONSUMERS’ PETITION FOR ADJUDICATION
_____	)	

**I. INTRODUCTION**

1 Pursuant to WAC § 480-07-370(5), the Alliance of Western Energy Consumers (“AWEC”) hereby respectfully moves the Washington Utilities and Transportation Commission (“Commission”) for permission to reply to PacifiCorp’s dba Pacific Power & Light Company (“PacifiCorp” or “Company”) response to AWEC’s Petition for Adjudication (“Petition”) of PacifiCorp’s 2022 Power Cost Adjustment Mechanism (“PCAM”). In its response, PacifiCorp argues that AWEC’s Petition should be rejected because it ignores testimony already presented by PacifiCorp and would be better addressed informally through a collaborative process. Public Counsel stated its support for an adjudication in this Docket in its October 11, 2023 response to Staff’s Motion for Continuance.

2 Good cause exists to grant AWEC’s Reply. In arguing in favor of a collaborative process, PacifiCorp is proposing a different process, which raises a new issue for the Commission to consider. For this reason, AWEC’s Motion for Permission to Reply should be granted. In compliance with WAC 480-07-370(5)(b), AWEC is filing its Reply concurrently with this Motion.

## II. ARGUMENT

3 Pursuant to WAC § 480-07-370(5)(b), a moving party that wishes to reply to a  
response “must explain why a reply is necessary including, but not necessarily limited to,  
whether the answer or response raises new facts or legal argument requiring a reply.” PacifiCorp  
presents two arguments in response to AWEC’s petition for adjudication. First, that AWEC’S  
Petition ignores the testimony presented by Company witness Mitchell, and second, that  
“AWEC’s Petition is better addressed informally through a collaborative.”<sup>1</sup>

4 PacifiCorp’s response raises new issues, specifically that as an alternative to an  
adjudicatory proceeding, the Company’s hedging practices and the associated impacts on its  
Washington-allocated net power costs (“NPC”) be addressed through “an informal collaborative  
process.”<sup>2</sup> As such, a reply is warranted under the Commission’s rules and precedent. The  
Commission has previously granted requests to file a reply in “order to address new issues raised  
for the first time in the comments of other parties,” explaining that a party’s “need to respond to  
new arguments raised in the comments constitutes cause for allowing a reply.”<sup>3</sup>

5 Here, PacifiCorp mistakenly cites to a prior power cost collaborative for Avista as  
Commission precedent and in support of the Company’s suggestion that these “complex power  
cost issues” be addressed through an informal collaborative process.<sup>4</sup> According to the  
Company, “[s]uch a process is better suited to allowing stakeholders a full chance at  
understanding the Company’s hedging program and how PacifiCorp’s Washington NPC are

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<sup>1</sup> Docket UE-230482, PacifiCorp’s Response to the Petition of the Alliance of Western Energy Consumers,  
at ¶ 8, 10 (Oct. 30, 2023) (“PacifiCorp’s Response”).

<sup>2</sup> *Id.*

<sup>3</sup> Docket No. UT-061625, Order No. 08, at ¶ 13 (Sep. 6, 2007).

<sup>4</sup> PacifiCorp’s Response at ¶ 10 *citing* *WUTC v. Avista Corporation, d/b/a Avista Utilities*, Docket No. UE-  
170485, Order 07 at ¶161 (Apr. 26, 2018).

influenced by cost allocation.”<sup>5</sup> PacifiCorp further argues that “[g]iven the technical nature of this topic, PacifiCorp’s multi-state operations, and allocations under the Washington Inter-jurisdictional Allocation Methodology, a collaborative process is better suited to understanding the hedging process and how the Company works to ensure that it hedges appropriately to manage its system.”<sup>6</sup>

6 By proposing that parties engage in a different and collaborative process so that the Company may “cooperate with Parties to provide information and explanations regarding the Company’s hedging practices,”<sup>7</sup> PacifiCorp has presented new issues for the Commission’s consideration. As such, in accordance with WAC § 480-07-370(5)(b) and Commission precedent, a reply is warranted.

### III. CONCLUSION

7 WHEREFORE, AWEC respectfully moves for permission to reply to PacifiCorp’s response to AWEC’s Petition of PacifiCorp’s 2022 PCAM.

Dated this 6th day of November, 2023.

Respectfully submitted,

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<sup>5</sup> PacifiCorp’s Response at ¶ 10.

<sup>6</sup> *Id.* at ¶ 13.

<sup>7</sup> *Id.*