

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
STAFF RESPONSES TO DATA REQUESTS

DATE PREPARED: October 9, 2024	WITNESS: Jaclynn Simmons
DOCKET: UE-210829	RESPONDER: Jaclynn Simmons
REQUESTER: PacifiCorp	TELEPHONE: 360-624-1253

DATA REQUEST NO. 20:

PacifiCorp Data Request 10 asked Staff several questions regarding Staff’s request that PacifiCorp “be required to submit several new allocation methodology options with each option including an increase to the proportion of renewable non-emitting resources to Washington relative to the WIJAM.” Staff objected that these requests were not relevant. Please provide additional narrative that explains how Data Requests 10(a)-(c) were not relevant to the current proceeding.

RESPONSE:

The Washington UTC only regulates utility actions in Washington State or actions that impact Washington customers. Impacts to customers in other states are outside the jurisdiction of Washington UTC and not subject to Staff review. See RCW 80.01.040. PacifiCorp Data Request 10 asked questions related to whether Staff considered impacts to other states; because Washington UTC does not have authority over cost allocations adopted by other jurisdictions, these questions were not relevant to the biennial CEIP update.

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DATA REQUEST NO. 21:

Please refer to Staff's response to PacifiCorp Data Request 10. Staff objected to questions regarding Staff's recommendation that the Commission direct PacifiCorp to file several new allocation methodologies based on relevance. Legal counsel for Staff subsequently stated in support of its objection "The Washington UTC only regulates utility actions in Washington State or actions which impact Washington customers. Impacts to customers in other states are outside the jurisdiction of Washington UTC and not subject to Staff review. Similarly, Washington UTC Staff is not responsible for assessing the impact of, nor a utility's compliance obligation under, other states' legislation. Therefore, Staff's understanding or belief of what is transpiring in other jurisdictions is not relevant to Staff's position in this case." Email from Josephine Straus dated September 24, 2024.

- a. Please confirm that Staff's position in this case is that the Commission can mandate that PacifiCorp unilaterally allocate a larger share of energy and capacity from PacifiCorp's non-emitting system resources, without recognition of other state energy mandates?
- b. Does Staff believe that PacifiCorp has excess capacity and energy available from its non-emitting resource fleet that is otherwise not allocated to other states and included in customer rates in those other states?
- c. Is it Staff's position that a public utility's compliance with its legal obligations and mandates outside of the state of Washington is not relevant to proceedings before the Commission?
- d. Is it Staff's position that a public utility's compliance with federal legal obligations and mandates is not relevant to proceedings before the Commission?

RESPONSE:

- a. The Commission has authority to order the Company to submit a new allocation methodology. Staff's position is that the Company is already required to submit a new allocation methodology to the Commission after MSP negotiations ceased to go forward, as stated in Section 2.2.3 of the 2020 Protocol: "If the Company determines that it is unlikely that a Post-Interim Period Method agreement will be reached before the end of the Interim Period, then the Company will propose an allocation method for the Post-Interim Period for consideration by the Commissions. Parties are free to take any position regarding PacifiCorp's proposal, including proposing

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alternative allocation methodologies, or initiating a complaint or investigation of PacifiCorp’s proposal.”

- b. Staff did not analyze other states allocations/rates nor capacity.
- c. No. Staff objected to the relevance of the specific question asked in DR 10. Staff is not arguing that compliance with legal obligations in other states is never relevant in proceedings before the Commission.
- d. No. Staff objected to the relevance of the specific question asked in DR 10. Staff is not arguing that compliance with federal legal obligations is never relevant in proceedings before the Commission.