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September 14, 2020

VIA ELECTRONIC FILING

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Washington Utilities and Transportation Commission
621 Woodland Square Loop SE
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Re: Docket UE-190837, In the Matter of Amending, Adopting, and Repealing WAC 480-107, Relating to Purchases of Electricity

The Washington Utilities and Transportation Commission (Commission) issued a Notice of Opportunity to Submit Written Comments on its revised draft of its rules to Amend, Adopt, or Repeal WAC 480-107 Relating to Purchases of Electricity on August 14, 2020. In this notice, the Commission requested responses to specific questions about the draft rules. PacifiCorp d/b/a Pacific Power & Light Company (PacifiCorp) respectfully submits its responses to the Commission's specific questions and comments on the draft rules.

INTRODUCTION

PacifiCorp is extremely concerned with the effect that these draft rules will have on utilities and customers because of their overly prescriptive, administratively burdensome, and costly requirements. The draft rules, as currently written, require an all-source RFP every time an IRP shows any resource need. An all-source RFP would also be required any time an IRP update showed a resource need greater than 80 MW.

The Commission has been entertaining potential revisions to Washington's competitive procurement process for nearly five years. In docket U-161024, the Commission considered changes to RFP rules, a conversation precipitated by frequent requests from utilities for waivers of certain provisions of WAC 480-107. Those former rules required an extensive process to develop an IRP and select a preferred portfolio, but then a secondary process to develop an RFP that essentially ignored the analysis and results completed in the IRP. PacifiCorp believed that the intent of U-161024, and now this docket, was to add more clarity to the competitive acquisition process, flexibility to implement the solicitation process, and hopefully avoid the need for standing, repetitive waiver requests.

These draft rules, however, have gone in the opposite direction. These rules are even more rigid, inflexible, and burdensome than the starting point. They prohibit utilities from using established solicitation processes that will efficiently attract market participants, specifically tailored to acquire specific resources identified in the IRP. Instead, the proposed rules require the use of only one tool, the all-source RFP, at nearly all times. There is a time and place for an all-source RFP. In fact, PacifiCorp is currently in the middle of such an RFP. However, as stated in previous comments and workshops, it is the company's view that all-source RFPs, while an

effective tool, are not always the best procurement process for every circumstance. PacifiCorp strongly urges the Commission to reconsider the rigid requirements proposed in the draft rules, and thoughtfully consider the direction that these draft rules will take Washington utilities in the coming years.

PACIFICORP'S RESPONSES TO THE COMMISSION'S QUESTIONS

1. **Draft rule WAC 480-107-007 defines repowering. Is the definition clear and do the rules succeed in assuring that a utility's decision to rebuild generation it owns is evaluated on an equal basis with other alternatives available in the market?**

   No. PacifiCorp respectfully recommends that the Commission remove the definition of repowering from WAC 480-107-007 and consider clarifying that repowering will not necessitate a request for proposals (RFP) when considered independently of an identified near-term resource need in an IRP, as proposed in PacifiCorp's June 29 comments.[1] The term as written is vague and can have multiple meanings across multiple technologies and resource types, limiting flexibility and tying the utility's hands to be innovative. The term is only used in two substantive sections of the draft rules and it is not strictly necessary in either.

   If the Commission elects not to remove the definition of repowering, PacifiCorp recommends modification of the proposed definition as follows, to more clearly identify the RFP requirement:

   > "Repowering" means a rebuild or refurbishment, including fuel source changes, of a utility-owned generator or generation facility that is identified and required due to an identified near-term resource need in a utility IRP. Facility upgrades that do not meet this standard do not constitute repowering for the purposes of the RFP requirement in WAC 480-107-024. ~~the generator or facility reaching the end of its useful life or useful reasonable economic life. The rebuild or refurbishment does not constitute repowering if it is that is not part of either routine major maintenance, federal or state regulatory requirements, or replacement of equipment that does not materially affect the physical or economical longevity of the generator or generation facility.~~

   The definition as currently written does not provide a comprehensive definition of what constitutes repowering. The rules define repowering as required due to the facility reaching the end of its economic or useful life, and define "not… repowering" as projects to complete major maintenance, for the purpose of regulatory requirements, or

[1] PacifiCorp June 29 comments, page 7: A utility may have other reasons to repower its owned assets such as safety and reliability reasons. Repowering may not be used to meet a near-term need identified in the IRP, but may present a way to save money without materially changing the load and resource balance. Investing in an existing facility to extend its life should not be subject to an RFP process, and should instead be eligible for WAC 480-107-001(1) Purpose and scope: "The rules in this chapter do not establish the sole procedures utilities may use to acquire new resources. Utilities may … take other action to satisfy their public service obligations."

replacement of equipment that does not impact physical or economic longevity of the facility. This definition omits the primary considerations currently motivating most utility-owned repowerings, namely net customer benefit (prior to the end of the useful life of the facility), improvements to the efficiency of a facility through equipment upgrades, or to otherwise improve the reliability and resiliency of the system through a facility upgrade that may extend the economic or useful life of the facility. If any of these reasons support repowering before the end of the economic/useful life, it is unclear whether the project would be considered repowering as the rules are currently written, and subsequently whether an RFP would be required.

PacifiCorp believes that Staff's desire to require utilities to compare repowering to new assets as part of an RFP as required in WAC 480-107-024 is misguided. Repowerings are different from other resource acquisitions because the underlying assets that are being considered for repowering are already included as existing resources in IRP plans. Only incremental energy and capacity, which would be subject to the limits by the existing interconnection agreements, would be considered a new resource. It is an inefficient use of resources to compare such marginal improvements to entirely new resources, regardless of the reason for the repowering. If a utility elects to pursue a repower to improve the efficiency, adjust the fuel source, of its assets or lengthen the useful life, it does so based on its determination of net customer benefit.

2. **Draft rule WAC 480-107-010(1)(b) requires a utility to issue an RFP if "the utility's two-year IRP update demonstrates a new or unfilled resource need of 80 MW compared to the utility's most recently filed IRP." Please provide comments on whether you support or oppose this provision and why?**

PacifiCorp strongly suggests major revisions to the draft rules' various thresholds for when RFPs are required, including WAC 480-107-010(1)(b). PacifiCorp counts no less than five different sets of requirements applicable to different types of resource acquisitions.[2] Different types of RFPs have different rules, some of which overlap. In many cases, there is no discernible customer benefit to the differences. Staff should attempt to simplify its requirements and only distinguish between types of RFPs when there is compelling benefit to customers, bidders, or the utility.

PacifiCorp believes that there should be a single set of RFP rules that apply to all RFPs that exceed certain materiality thresholds, ideally 80 MW and greater than a five-year term (a "significant energy resource"). A second subset of RFP rules should apply to other, smaller or shorter acquisitions, if the utility chooses to issue an RFP to meet those resource needs. A final set of RFP rules should apply to conservation and efficiency RFPs. In these comments, PacifiCorp proposes general principles that could guide these

[2] *See* draft WAC 480-107-010(1)(a) (all source RFPs after an IRP), draft WAC 480-107-010(1)(b) (all source RFPs after an IRP update), draft WAC 480-107-010(3) ("any other RFP or solicitation"), draft WAC 480-107-010(4) (other actions for acquisition), draft WAC 480-107-065(3) (two distinct RFPs: a competitive procurement process "as described in this rule," and a "competitive procurement framework… approved by the Commission.").

rules, and has attached redlines to Staff's most recent drafts showing how they could be implemented. This section of PacifiCorp's comments discusses general principles, and a later section explains PacifiCorp's redline of the rules in greater detail.

First, it is crucial that RFPs only be required to fill resource needs in excess of five years. It is common industry practice that contracts for acquisitions shorter than five years are handled by utility front offices, whereas longer term acquisitions are handled by long term resource acquisition (generally known in the utility industry as "Origination" or "Resource Acquisition") groups who implement the procurement of generating resources through a RFP process or bilateral negotiation. This five-year threshold distinction is common in the other states where PacifiCorp conducts business.[3] To the best of PacifiCorp's knowledge, no party to this rulemaking has opposed a five-year threshold for requiring an RFP.

The timelines for front office transactions of less than five years (market purchases) is far shorter than the timeline for long-term acquisitions. Generally speaking, as a utility moves closer to day-of operations, its resource portfolio becomes more firm, and its open position shrinks. However, the timeline to make necessary acquisitions also narrows: PPAs for acquisitions of five years or less are made on a much more regular basis and not at a pace compatible with a multi-month RFP schedule or process. For example, several Washington public utility districts, on a regular basis, offer portions of their hydro generation up to five years that can be bid and contracted, but on their timeline and not aligned the proposed RFP process. The Bonneville Power Administration has also sold five-year capacity contracts to northwest utilities, but again, not through existing RFP processes.[4] Staff's present proposal would prevent utilities from easily contracting for these carbon-free, low-cost resources, just as the Clean Energy Transformation Act increases pressure on utilities to acquire precisely this kind of resource. An RFP requirement that does not take into account the term of the resource need would be a disservice to customers because it would prohibit PacifiCorp from participating in the markets where least cost, least risk acquisitions are most likely to be found.

Second, there should be a consistent energy or capacity threshold for when an RFP is required in order to justify the economies of scale required to staff and otherwise resource complex regulated solicitations and their corresponding – and potentially expensive – independent evaluation requirements. PacifiCorp has suggested a "significant energy resource" requirement of 80 MW and a term of more than five years to trigger a required RFP in previous comments, based on the competitive bid rules adopted in Oregon.[5]

Relatedly, the same threshold should be used for all types of required RFPs, as well as other solicitations and procurement. Staff's draft rules distinguish between (1) RFPs

[3] Oregon Administrative Rule 860-089, Utah Rule R746-420.
[4] https://www.portlandgeneral.com/our-company/news-room/news-releases/2018/03-07-2018-new-agreements-will-deliver-clean-bpa-power, https://www.pse.com/press-release/details/new-agreements-will-deliver-clean-bpa-power-to-pse-customers.
[5] PacifiCorp's June 29, 2020 comments at 11.

issued after an IRP (no 80 MW threshold) (2) RFPs issued after an IRP update (80 MW threshold) and all other RFPs, solicitations and procurement, including those for conservation and efficiency (threshold not applicable). There is no clear reason for these distinctions. Customers, bidders, and utilities have the same interests, motivations, and needs regardless of when an RFP is issued. PacifiCorp's significant energy resource definition eliminates this unnecessary distinction.

Third, other differences in requirements for different types of IRPs should be eliminated, to the greatest extent possible. The various process requirements for an RFP (Commission and stakeholder review of drafts, retention of an independent evaluator, comment on shortlists, etc.) are more properly based on the magnitude of the RFP. It does not make sense to require Commission approval of a draft IRP for an 80 megawatt resource need identified in an IRP, but only an informational filing for an equivalently-sized RFP stemming from an IRP update or outside the IRP cycle entirely.[6] Like with whether to require an RFP at all, all stakeholders have the same interest in these RFPs, regardless of what precipitated the decision to issue them. PacifiCorp's redlines have attempted to simplify these requirements based on the magnitude of the RFP.

Other Comments

The draft rules' thresholds need to be revisited
Draft WAC 480-107-010 and 480-107-001 requires an RFP when a four-year IRP demonstrates *any* level of resource need, even, theoretically, a single megawatt. In contrast, if the two-year IRP update identifies a resource need, an RFP is only required if the resource need is greater than 80 megawatts. As noted above, PacifiCorp does not see the point to these distinctions and supports using the significant energy resource definition as the threshold to trigger a required RFP in all cases, both to fill resource needs identified in an IRP or IRP update and for other procurements. It is inefficient and not in customers' best interests to require an RFP for very small acquisitions. If the Commission determines that RFPs must be used regardless of the size of a resource need, PacifiCorp suggests that a more streamlined process be adopted for smaller acquisitions, as is the case in Oregon and discussed in previous comments.[7]

PacifiCorp's redline suggests that all RFPs for significant energy resources to fill a resource need identified in an IRP or IRP update must be all-source RFPs, with the possibility of an accompanying single-source RFP focused on energy efficiency or demand response. All other RFPs would be subject to slightly relaxed requirements and could be for specific types of resources. PacifiCorp believes that this approach balances the interest in allowing the market to determine how best to fill all or a portion of a resource need identified in an IRP, with the utility's interest in conducting efficient, targeted RFPs when acquisitions become necessary outside the IRP cycle.

[6] Draft WAC 480-107-011.

In all cases when a utility seeks to acquire a significant energy resource, or if an RFP allows for a utility ownership option, PacifiCorp's proposed redlines would require an independent evaluator. Otherwise, and as discussed in prior PacifiCorp comments, the benefits of an independent evaluator might be outweighed by its costs, which can run into the hundreds of thousands of dollars.

PacifiCorp strongly suggests that Staff consider these modifications or similar changes to its draft rules. They are closely modeled on requirements used in other states that have been tested over the course of many utility procurements. If Staff chooses not to incorporate them, PacifiCorp would appreciate specific responses explaining those decisions, including why it believes that compliance with a utility's various obligations – including CETA, rate control and stability, and efficient procurement of low-cost resources – will be materially advanced with the requirements proposed in these draft rules. PacifiCorp would also appreciate an explanation of the varying thresholds for RFPs issued after an IRP, IRP update, or outside of the IRP cycle, as well as how these varying requirements benefit customers, bidders, other stakeholders, or utilities.

For any IRP-related RFP, PacifiCorp supports eliminating the "all source" requirement while retaining the requirement that a second RFP for conservation and efficiency resources be issued simultaneously

As discussed in the introduction section above, PacifiCorp is tremendously concerned with the impact that these rules will have on utilities and their customers. Even if the 80 MW threshold is added to the all-source RFP required after an IRP, these rules force acquisition processes into a rigid, one-size-fits-all box that must occur every two years until a utility is long on its resources. Given the significant transition the energy industry must undergo under CETA, it is safe to assume that an all-source RFP will be required every two years until 2045. Given PacifiCorp's multi-state obligations and established processes for its five other states, these requirements may force the company to perform Washington-situs RFPs if there is no other way to reconcile the complications that Washington rules are creating.

While PacifiCorp appreciates Staff's perspective that all required RFPs should be all-source, it believes the most efficient and fairest option is issuance of simultaneous RFPs focusing on large-scale energy and capacity resources, with a second, single-source RFP focused on energy efficiency, demand response, and conservation resources. It appears that the current rules would allow for something similar, though the former RFP would technically have to be all-source and allow for the types of bids contemplated by the latter RFP. PacifiCorp's preference, as discussed in these and prior comments, is for the elimination of the "all source" requirement, as it will create additional complexity without any real benefit. The possibility that conservation and efficiency resources might not be considered can be eliminated by requiring a simultaneous issuance of an RFP specific to those resources. PacifiCorp's prior comments have provided redlines consistent with this recommendation.

The different types of resources represent very different bidders, resource operations, and evaluation techniques. To require an all-source RFP – even with the allowance in WAC 480-107-010(2)(a) to issue separate single source RFPS and later combine them – will result in

considerable effort and administrative burden. Additionally, due to the difference in skill sets needed to evaluate the bids, utilities will likely need to retain the services of at least two separate IEs. This need for multiple IEs may further exacerbate the cost inefficiencies of an all-source RFP.

If the Commission is inclined to push forward with biennial, all-source RFPs, PacifiCorp requests that the Commission adopt its alternate language, contained in redlines attached to these comments. That language has added draft language prohibiting bidders from submitting the same project into both RFPs. As the rules require a "combined analysis," there would be no benefit to customers to allowing double bids, and it would increase utility workloads considerably to assess the same bid two times.

Multi-state utilities may require a waiver or modification of requirements
PacifiCorp suggests an addition to draft WAC 480-107-002(3) to specifically allow the Commission to waive or modify sections of the rules to allow for alignment of requirements with those of other states when a utility is subject to the jurisdiction of multiple states. While this authority is implicit in the Commission's overall authority to waive its rules, PacifiCorp believes that this specificity would be beneficial. To some degree, waiver or modifications of requirements will be necessary for multi-state utilities, because in some cases Washington's proposed rules conflict with those of other states where PacifiCorp does business. PacifiCorp's proposal does not require the Commission to actually waive its requirements – just to *consider* doing so.

Conservation and efficiency resources procurement rules should be clarified
Draft WAC 480-107-001 and 480-107-065(3) are contradictory. The former states:

> *The rules in this chapter do not establish the sole procedures utilities may use to acquire new resources*. Utilities may construct new resources, *operate conservation and efficiency resource programs*, purchase power through negotiated contracts, or take other action to satisfy their public service obligations.

While the latter states:

> (3) *A utility must acquire conservation and efficiency resources through a competitive procurement process as described in this rule* unless implementing a competitive procurement framework for conservation and efficiency resources as approved by the commission.

PacifiCorp requests clarification as to Staff's intent, and would strongly support the former option as it is would allow conservation and efficiency resources to compete on equal footing when a utility chooses to act outside the competitive framework to meet a resource need, as is permitted for other resources by WAC 480-107-001.

Qualifying facilities under contract should not be able to bid into an RFP

PacifiCorp requests clarification as to why qualifying facilities (QFs) are included in WAC 480-107-015(6)'s list of resources that have the potential to fill a resource need. The definition of "qualifying facilities" references WAC 480-106-007, which subsequently relies on 18 C.F.R. Part 292 subsection B. That subsection requires, among other things, that a facility not exceed 80 megawatts and that it be certified by the Federal Energy Regulatory Commission. PacifiCorp supports allowing such generators to participate in an RFP, but on the same terms as any other bidder. QF status should have no bearing on a utility's consideration of bids.

PacifiCorp strongly opposes allowing existing QFs currently under contract with a utility from bidding into the same utility's RFP, with the intent of terminating the then-effective contract and acquiring a new, more advantageous power purchase agreement. If a QF wants to participate in an RFP under a new contract, it should be required to first terminate its then-effective contract, and then bid into the RFP. Otherwise, a QF acquires a risk-free shot at a higher payment, but customers see no potential benefit whatsoever. Further, an IRP model includes all QFs in the utility's resource mix through the end of their contracts[8] – a reasonable assumption, given that they have contracted to sell their power to the utility – so an existing QF that bids into an RFP actually provides no additional energy or capacity, meaning that the utility will remain short even if it "fills" its resource need. PacifiCorp has proposed modifications to WAC 480-107-015(6) to prevent QFs under contract from bidding into an RFP, a change necessary for basic customer protections.

Washington should provide additional guidance on rules in WAC 480-107-025(2)
While PacifiCorp is supportive of the equity considerations included in draft WAC 480-107-025(2), it is concerned that they remain vague and ambiguous and therefore difficult to measure within the context of a scored RFP. PacifiCorp seeks additional guidance from the Commission and suggests that Equity Group should work to develop a more measurable standard by which to judge these equity considerations.

Washington should model supplier diversity requirements on successful programs nationwide
PacifiCorp recommends Washington Staff review the California Supplier Diversity Requirements outlined in General Order 156 (GO 156), and consider similar verification and reporting processes and procurement targets. PacifiCorp referenced these requirements in prior comments as an example of an approach that Staff could consider, but it appears that they were misconstrued as somehow binding on the Commission.[9] PacifiCorp of course recognizes that the rules of other states are not jurisdictional to Washington utilities, and raised them solely because Staff requested "citations to existing federal, state, or local laws applicable to the requirements of utility RFPs."[10] California's rules are a good example and have been successfully administered since 1988. PacifiCorp has included California GO 156 as Attachment B to these comments for review, and it recommends the following structures for consideration as draft WAC 480-107-025(2) is revised:

[8] *See* Draft WAC 480-100-620(14)(b) (docket UE-191023).
[9] Commission Staff's "Summary of Comments, Comment on 1st draft Rules, June 29," page 27
[10] Commission Notice of Opportunity to File Written Comment (June 1), question 7

- GO -156 contains established definitions, rules and guidelines are used to verify the eligibility of women-owned, minority-owned and LGBT-owned business enterprises (WMLGBTBE)
- The California Public Utilities Commission (CPUC) is responsible for verification and clearinghouse
- Women, minority, disabled veteran and LGBT-owned businesses that become certified under GO 156 are automatically entered into the supplier database, gaining visibility and access to the IOUs that operate throughout the state
- Utilities use the database when searching for diverse suppliers, and only businesses included in this directory can be included in an IOU's annual filings.
- Filings establish whether or not the IOU is meeting the state's GO 156 procurement goals for diverse suppliers

For reference, the CPUC's current procurement goals for diverse suppliers are:

- 15% minority-owned businesses
- 5% woman-owned businesses
- 1.5% for service-disabled veteran-owned businesses
- Carve-outs for large contracts for which there are no eligible WMLGBTBE bidders, with alternate targets established in a subcontractor program

PacifiCorp strongly opposes posting bid information on a public website

PacifiCorp strongly recommends that draft WAC 480-107-035(5) be deleted. First, the benefit of such a posting is unclear. Second, this section requires posting of commercially sensitive data and will have a chilling effect on bidders. A public "summary of each project," even one that omits "confidential" information, would create considerable concern in the development community. If the Commission does not delete this section of the rule, the requirement should be revised to allow utilities to post a summary of the bid results on an average / cumulative basis providing the key metrics of the results of the solicitation process. It should also be extended past 10 days, which is wholly unrealistic for procurements that often generate hundreds of bidders. PacifiCorp suggests no less than 30 days, otherwise utilities will frequently need to request waivers of this requirement.

Finally, PacifiCorp does not oppose certain parties to the RFP docket obtaining this information subject to a protective order. The information that this rule would require to be posted publicly should be made available to certain parties, limited to Commission staff, independent evaluators and approved stakeholders who are not bidders or actively participating in the RFP process, in accordance with non-disclosure agreements and protective orders within the RFP docket.

PacifiCorp strongly recommends addition of a protected information provision

Consistent with prior comments, PacifiCorp has included a section in the draft redline allowing for protective orders in these dockets. Protective orders are common in the other states where PacifiCorp routinely has dockets assessing RFPs open and allow qualified parties easy access to confidential and highly confidential bidder information. At the same time, they provide certainty for bidders that highly sensitive project details including pricing and business information will remain confidential.

Without a protective order in place, utilities will likely not be able to provide qualified parties with access critical, but confidential data. Further, if bidders are not assured that their projects will remain confidential, there may be less interest in bidding, to the detriment of customers.

PacifiCorp requests clarity regarding the intended purpose of draft WAC 480-107-015(5)
This draft requirement, which seems to limit communications between the independent evaluator, bidders, and would restrict review of bids until after the RFP closes, is unclear what communication channels would be available to utilities, bidders, and independent evaluators. Are independent evaluators allowed to be copied on RFP bid responses, even if the bids are received before the due date? Or are independent evaluators prohibited from viewing contents through the bid due date?

PacifiCorp's current independent evaluation process in Oregon and Utah require that the independent evaluators be copied on all bids submitted by bidders at the time of submittal. From RFP release through final award, PacifiCorp does not communicate with bidders without copying the independent evaluators so as to ensure transparency and avoid perception of bidder preference. In fact, once the independent evaluator is under contract for the RFP, they have access to and are part of the communication chain between the bidder and the utility.

PacifiCorp also opposes this draft rule because it would prohibit utility employees, including those ultimately tasked with review of bids, from reviewing them prior to the close of the solicitation period. Utilities routinely review bids before that date to assess workload and timing requirements for review – but not to actually score them. This option allows for quicker, more efficient review without compromising fairness. Notably, this draft requirement contradicts existing practice in PacifiCorp's other states, so a waiver would likely need to be requested to allow for efficient review and to avoid delaying acquisition timelines that benefit customers in other states.

PacifiCorp requests clarity regarding recovery of independent evaluator costs
In prior comments, PacifiCorp recommended addition of language discussing cost recovery for any independent evaluation costs that exceed RFP bid fees. In response, Staff state that it "is still considering this option but is concerned with its effect on equity." PacifiCorp requests Staff elaborate on its concerns. The independent evaluator selection process should include specific requirements and experience of the independent evaluator to meet Staff's concern on equity. Generally speaking, PacifiCorp believes that an independent evaluator adds value to the RFP process for all stakeholders, including customers. In addition, an IE will be required under these rules, so it is reasonable that any expenses not covered by bid fees be recovered through rates, just like any other utility operating expense.

Utilities should not be required to offer bidders use of utility-owned assets

In prior comments, PacifiCorp proposed changes that qualified a utility's obligation to consider and elect to provide information upon request of a bidder depending on the appropriateness of such request.[11] PacifiCorp reiterates these suggestions and requests a response from Staff.

PacifiCorp's status as a multi-state utility make Staff's requirement for allowing use by bidders problematic. Its assets are shared and allocated among multiple states and therefore may not be always available to bidders in a Washington RFP. PacifiCorp believes the rule should be written to capture the same components and process as developed for Oregon's OAR Division 860-089, which includes for compensation to the utility for the use of the property, should the utility chose to make any utility-owned assets available in its RFP.

RFP deadlines should be calculated from the date of IRP acknowledgement
Draft WAC 480-107-020(1) indicates that a utility would need to file an RFP 120 days after an IRP is submitted to the Commission. PacifiCorp strongly recommends that this requirement be revised to allow for 120 days after an IRP is *acknowledged* by the Commission. If this modification is not made, it may result in material delays and/or rework from utilities needing to modify and/or reissue and RFP to conform to the acknowledged IRP.

Sincerely,

/s/

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[11] PacifiCorp's June 29, 2020 comments at 13.