



1120 N.W. Couch Street, Tenth Floor  
Portland, OR 97209-4128  
PHONE: 503.727.2000  
FAX: 503.727.2222  
www.perkinscoie.com

James M. Van Nostrand  
PHONE: (503) 727-2162  
FAX: (503) 346-2162  
EMAIL: JVanNostrand@perkinscoie.com

January 23, 2007

***BY ELECTRONIC AND U.S. MAIL***

Administrative Law Judge Dennis Moss  
Washington Utilities and Transportation Commission  
P.O. Box 47250  
1300 S. Evergreen Park Drive SW  
Olympia, WA 98504-7250

**Re: Docket No. UE-061546  
PacifiCorp d/b/a Pacific Power and Light Company**

Dear Judge Moss:

On January 17, 2007, Commission Staff, PacifiCorp d/b/a Pacific Power and Light Company ("PacifiCorp") and The Energy Project (collectively, the "Settling Parties") filed a Settlement Stipulation in this proceeding. The Settlement Stipulation is a multi-party settlement which settles certain issues and proposes a process for resolving the remaining issues. Two days later, on January 19, 2007, the Settling Parties submitted documentation supporting the Settlement Stipulation, consisting of Joint Testimony, separate testimony of Alan P. Buckley, and two exhibits.

With the filing of the Settlement Stipulation, the focus of the proceeding turns to "whether [the] proposed settlement meets all pertinent legal and policy standards."<sup>1</sup> In previous decisions, the Commission has applied this standard using a three-part inquiry:

- (1) We ask whether any aspect of the proposal is contrary to law;
- (2) We ask whether any aspect of the proposal offends public policy; and
- (3) We ask if the evidence supports the proposed

---

<sup>1</sup> WAC 480-07-740.

Judge Dennis Moss  
January 23, 2007  
Page 2

elements of the Settlement Agreement as a reasonable resolution of the issue(s) at hand."<sup>2</sup>

Given this framing of the issues, the Settling Parties respectfully submit that the procedural schedule should be re-visited to allow the Commission to consider the Settlement Stipulation more promptly than under the existing procedural schedule. (In this regard, the Settling Parties appreciate the Commission's prompt convening of a prehearing conference to address scheduling issues.) Among other things, the Settlement Stipulation includes a recommendation that PacifiCorp be authorized to implement a rate increase effective as of April 1, 2007.<sup>3</sup> WAC 480-07-740(1)(e), in turn, provides that "[t]he commission will endeavor to meet the parties' requested effective date." With these circumstances in mind, Staff and PacifiCorp have jointly developed a proposed schedule that we offer for the Commission's consideration:

Settling Parties file testimony in support of Stipulation	January 19
Non-Settling Parties file opposing testimony	February 13
Settling Parties file rebuttal testimony	February 27
Commission hearings	March 5-7

We look forward to further discussions regarding the proposed schedule at tomorrow's prehearing conference.

Very truly yours,



James M. Van Nostrand

JMV:dma  
cc: Service List

---

<sup>2</sup> Docket UE-0320675, *WUTC v. PacifiCorp*, Order 06 at ¶ 59; Docket UG-060256, *WUTC v. Cascade Natural Gas Corporation*, Order 05 at ¶ 23.

<sup>3</sup> Settlement Stipulation at ¶ 16.

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I served the letter regarding Modification of the Procedural Schedule of PacifiCorp d/b/a Pacific Power and Light Company upon all parties of record in this proceeding by mailing a copy thereof in a sealed, first class postage prepaid envelope to each individual's last-known address, as listed below:

Melinda J. Davison  
Davison Van Cleve PC  
333 SW Taylor, Suite 400  
Portland, OR 97204

Don Trotter  
Washington Utilities & Trans. Comm'n  
1400 S. Evergreen Park Drive SW  
PO Box 40128  
Olympia, WA 98504

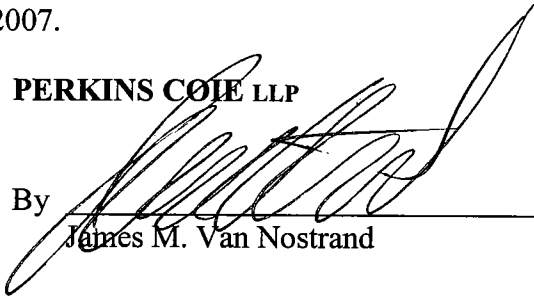
Simon ffitch  
Office of the Attorney General  
Public Counsel Section  
800 5th Avenue, Suite 2000  
Seattle, WA 98104-3188

Brad Purdy  
Representing The Energy Project  
2019 N 17th Street  
Boise, ID 82702

DATED: January 23, 2007.

**PERKINS COIE LLP**

By

  
James M. Van Nostrand