

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re the Matter of

PACIFICORP d/b/a PACIFIC POWER
& LIGHT COMPANY

Request for an Accounting Order
Authorizing
Deferral of Excess Net Power Costs

DOCKET NO. UE-020417

REQUEST FOR CONTINUANCE OF
THE INDUSTRIAL CUSTOMERS
OF NORTHWEST UTILITIES AND
PUBLIC COUNSEL

I. INTRODUCTION

Pursuant to WAC 480-09-440, the Industrial Customers of Northwest Utilities (“ICNU”) and the Public Counsel section of the Washington State Attorney General’s Office (“Public Counsel”) respectfully request leave for a one week continuance of the briefing deadline in this case, currently set for April 9, 2003, to April 16, 2003 (“Request for Continuance”).

PacifiCorp (or the “Company”) has indicated through counsel that the Company does not agree to this continuance. Counsel for Commission Staff has indicated that he is neutral on a one week continuance of the briefing deadline.

Given the limited time available the moving parties also request expedited review of this request. The Request for Continuance is timely filed pursuant to WAC 480-09-440(3).

II. A ONE WEEK CONTINUANCE OF THE BRIEFING DEADLINE IS WARRANTED

A. The Current Schedule Provides Inadequate Time to Review the Hearing Transcript.

The transcript of the evidentiary proceedings in this docket will be prepared for transmittal no sooner than April 2, 2003. The transcripts of the evidentiary hearings have already been expedited and cannot be made available earlier. Thus, the parties will likely not have the transcript available sooner than April 3, 2003, with briefs due six days later on April 9, 2003.

It would materially improve the record before the Commission if the Parties were allowed an additional week to review and incorporate the transcript from the evidentiary hearings. The evidentiary hearings in this proceeding were originally expected to last less than two days, but lasted for three days. In addition, the number and complexity of the issues involved in the case increased. For example, PacifiCorp's direct testimony stated that the Company was not seeking interim rate relief. Ex. 1 at 7. However, at hearing, PacifiCorp claimed that the Company was seeking interim rate relief. PacifiCorp is seeking a deferred account and immediate rate recovery of up to \$17.5 million. The Commission, all Parties and the public would be better served if the Commission issued its final ruling based on a full and complete record.

The moving Parties also request the Commission to consider that no reply briefs are scheduled in this matter. Given that this brief is the Parties final opportunity for advocacy a one week continuance does not appear inequitable.

B. PacifiCorp Will Suffer No Prejudice Due to a One Week Continuance in the Briefing Schedule.

No party to this proceeding would be prejudiced by a one week extension in the briefing schedule. The Commission has ruled that any deferred accounting treatment granted to the Company would extend back to the date of filing of PacifiCorp's Petition. Therefore, a one-week difference in the timing of the issuance of a final order will not impact any remedy that PacifiCorp may receive in this proceeding.

III. CONCLUSION

For the reasons set forth above ICNU and Public Counsel urge the Commission to grant a one week extension in the briefing deadline and allow briefs to be filed on April 16, 2003, instead of April 9, 2003.

RESPECTFULLY SUBMITTED this 1st day of April, 2003.

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