

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	DOCKET UE-080220
TRANSPORTATION	)	
COMMISSION,	)	
	)	ORDER 03
Complainant,	)	
	)	
v.	)	PREHEARING CONFERENCE
	)	ORDER
PACIFICORP D/B/A PACIFIC	)	
POWER & LIGHT COMPANY,	)	
	)	
Respondent.	)	
.....	)	

- 1     **NATURE OF PROCEEDINGS:** On February 6, 2008, PacifiCorp d/b/a Pacific Power & Light Company (PacifiCorp) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-74. By its filing PacifiCorp proposed to increase rates and charges for electric service provided to customers in the state of Washington by \$34.9 million, or 14.6 percent.
  
- 2     Absent Commission action, the proposed tariff revisions would have become effective by operation of law on March 7, 2008. The Commission, however, suspended the filing on February 14, 2008, PacifiCorp having waived its right to have the matter considered at the Commission’s regular open public meeting.
  
- 3     **CONFERENCE/PRESIDING OFFICER.** The Commission convened a prehearing conference in this proceeding at Olympia, Washington on March 6, 2008, before Administrative Law Judge Dennis J. Moss.
  
- 4     **PARTY REPRESENTATIVES:** Sarah E. Edmonds, in-house legal counsel, Portland, Oregon, and Katherine McDowell, McDowell & Rackner P.C., Portland, Oregon, represent PacifiCorp. Simon ffitch and Sarah Shifley, Assistant Attorneys General, Seattle, Washington, represent the Public Counsel Section of the Washington Office of Attorney General (Public Counsel). Donald T. Trotter, Robert D. Cedarbaum and Jonathan Thompson, Assistant Attorneys General, Olympia,

Washington, represent the Commission's regulatory staff (Commission Staff or Staff).<sup>1</sup>

5 Melinda J. Davison and Irion Sanger, Davison Van Cleve, Portland, Oregon, represent the Industrial Customers of Northwest Utilities (ICNU). Brad Purdy, Attorney at Law, Boise, Idaho, represents The Energy Project.

6 Contact information for the parties' representatives is attached as Appendix 2 to this order.

7 **PETITIONS FOR INTERVENTION.** ICNU filed a petition to intervene on February 19, 2008. The Energy Project filed a petition to intervene on March 6, 2008. No party objected to these petitions and they were granted.<sup>2</sup>

8 **PROTECTIVE ORDER.** The Commission will enter its standard form of protective order in this proceeding.

9 **DISCOVERY.** The parties will continue to conduct discovery pursuant to the Commission's rules governing discovery, WAC 480-07-400, *et seq.*

10 **MOTION FOR LEAVE TO FILE SUPPLEMENTAL TESTIMONY.** On March 4, 2008, PacifiCorp filed a motion seeking leave to file supplemental testimony including narrative testimony and a revised results-of-operations exhibit that conforms to a format preferred by Commission Staff. The Commission granted PacifiCorp's motion.

---

<sup>1</sup> In formal proceedings, such as this, the Commission's regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as other parties to the proceeding. There is an "*ex parte* wall" separating the Commissioners, the presiding Administrative Law Judge, and the Commissioners' policy and accounting advisors from all parties, including regulatory staff. *RCW 34.05.455.*

<sup>2</sup> The Commission previously granted ICNU's petition in Order 02.

11 **PROCEDURAL SCHEDULE.** The Commission adopts the procedural schedule set forth below and in Appendix 1 to this Order.

PacifiCorp's Prefiled Direct Testimony	February 6, 2008
Status Report Re Company Notice to Customers	April 7, 2008
Settlement Conference	June 30, 2008
Staff, Public Counsel, and Intervenor Response Testimony	August 15, 2008 <sup>3</sup>
PacifiCorp Rebuttal Testimony and Cross-Answering Testimony	September 17, 2008 <sup>4</sup>
Settlement Conference	September 29 – October 1, 2008
Evidentiary Hearing	October 29 – November 5, 2008
Public Comment Hearing	TBD
<b>Simultaneous Briefs *</b>	<b>November 26, 2008</b>
Suspension Date	January 7, 2009

12 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file the original plus 10 copies of the unredacted versions of all pleadings, motions, briefs, and other prefiled materials. Parties must also file the original and 1 copy of any redacted version(s). These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The

---

<sup>3</sup>After August 15, 2008, responses to data requests are due 7 business days after receipt.

<sup>4</sup>After September 15, 2008, responses to data requests are due 5 business days after receipt.

Commission may require a party to refile any document that fails to conform to these standards.

- 13 All filings must be mailed to the Commission Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250, or delivered by hand to the Commission Secretary at the Commission's Records Center at the Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 14 An electronic copy of all filings must be provided by e-mail delivery to <[records@utc.wa.gov](mailto:records@utc.wa.gov)>. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette or a CD including the filed document(s). The Commission prefers that parties furnish electronic copies in .pdf (Adobe Acrobat) format, supplemented by a separate file in MS Word 6.0 (or later), or WordPerfect 5.1 (or later) format. Parties are required to organize and identify electronic files as specified in WAC 480-07-140(5).
- 15 **ELECTRONIC FILING.** At the request of the parties, the presiding officer granted a one-day extension of the paper-filing requirement under WAC 480-07-145(6), allowing electronic submission of documents with the Commission on the filing deadlines set forth in the procedural schedule. Parties must submit documents through the Commission's Web Portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)) or by e-mail to [records@utc.wa.gov](mailto:records@utc.wa.gov), and file an original, plus the required number of paper copies,<sup>5</sup> of the documents with the Commission by the following business day. Parties must provide courtesy copies of their electronic submissions to the presiding administrative law judges and the parties to the proceeding.
- 16 **ALTERNATE DISPUTE RESOLUTION.** Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1144.

---

<sup>5</sup> See, *supra*, ¶ 12 for detailed filing requirements when documents include material designated confidential.

17 **NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

DATED at Olympia, Washington, and effective March 7, 2008.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS  
Administrative Law Judge

**APPENDIX 1**  
**PROCEDURAL SCHEDULE**  
**DOCKET UE-080220**

<u>EVENT</u>	<u>DATE</u>	<u>INTERVAL</u>
PacifiCorp's Prefiled Direct Testimony	February 6, 2008	
Status Report Re Company Notice to Customers	April 7, 2008	
Settlement Conference	June 30, 2008	
Staff, Public Counsel, and Intervenor Response Testimony	August 15, 2008 <sup>6</sup>	191
PacifiCorp Rebuttal Testimony and Cross-Answering Testimony	September 17, 2008 <sup>7</sup>	33
Settlement Conference	September 29 – October 1, 2008	
Evidentiary Hearing	October 29 – November 5, 2008	42
Public Comment Hearing	TBD	
<b>Simultaneous Briefs *</b>	<b>November 26, 2008</b>	28
Suspension Date	January 7, 2009	42

\*Briefs must be submitted via e-mail by 12:00 noon to meet the Commission's internal distribution schedule. Parties must initiate mail or courier delivery so originals and required copies are received by COB on the scheduled date.

<sup>6</sup>After August 15, 2008, responses to data requests are due 7 business days after receipt.

<sup>7</sup>After September 15, 2008, responses to data requests are due 5 business days after receipt.

**APPENDIX 2**  
**PARTIES' REPRESENTATIVES**  
**DOCKET UE-080220**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
<b>PacifiCorp</b>	Sarah Edmonds* Legal Counsel PacifiCorp 825 NE Multnomah Suite 1800 Portland, OR 97232	503-813-6840	503-813-7252	<a href="mailto:Sarah.Edmonds@pacificcorp.com">Sarah.Edmonds@pacificcorp.com</a>
	Katherine McDowell McDowell & Rackner P.C. 520 SW 6 <sup>th</sup> Avenue Suite 830 Portland, OR 97204	503-595-3924	503-595-3928	<a href="mailto:Katherine@med-law.com">Katherine@med-law.com</a>
<b>Commission Regulatory Staff</b>	Donald T. Trotter* Robert D. Cedarbaum Jonathan Thompson Assistant Attorney General 1400 S. Evergreen Park Dr. S.W. P.O. Box 40128 Olympia, WA 98504-0128	360-664-1189 360-664-1188 360-664-1225	360-586-5522	<a href="mailto:DTrotter@utc.wa.gov">DTrotter@utc.wa.gov</a> <a href="mailto:BCedarba@wutc.wa.gov">BCedarba@wutc.wa.gov</a> <a href="mailto:JThomps@utc.wa.gov">JThomps@utc.wa.gov</a>
<b>Public Counsel</b>	Simon ffitc Sarah Shifley* Assistant Attorney General Public Counsel Section Office of Attorney General 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	206-389-2055 206-464-6595	206-464-6451	<a href="mailto:Simonf@atg.wa.gov">Simonf@atg.wa.gov</a> <a href="mailto:SarahS5@atg.wa.gov">SarahS5@atg.wa.gov</a>
<b>Industrial Customers of Northwest Utilities (ICNU)</b>	Melinda Davison* Irion Sanger Davison Van Cleve, P.C. 333 S.W. Taylor, Suite 400 Portland, OR 97204	503-241-7242	503-241-8160	<a href="mailto:mjd@dvclaw.com">mjd@dvclaw.com</a> <a href="mailto:ias@dvclaw.com">ias@dvclaw.com</a>
<b>The Energy Project</b>	Brad Purdy* Attorney at Law 2019 N. 17 <sup>th</sup> Street Boise, ID 83702	208 384-1299	208-384-8511	<a href="mailto:bmpurdy@hotmail.com">bmpurdy@hotmail.com</a>

\* Lead Counsel