

[Service Date September 6, 2002]

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

WASHINGTON UTILITIES AND)	DOCKET NO. UE-001734
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	SIXTH SUPPLEMENTAL ORDER
)	
v.)	PREHEARING CONFERENCE ORDER
)	DENYING MOTION TO COMPEL
PACIFICORP, d/b/a PACIFIC)	
POWER & LIGHT,)	
)	
Respondent.)	
.....)	

1 **Proceeding:** Docket No. UE-001734 is a tariff revision filed on November 9, 2000, by PacifiCorp d/b/a Pacific Power & Light (PacifiCorp) that would allow PacifiCorp to charge a customer the costs associated with removing PacifiCorp’s utility property from the customer’s location when the customer changes utility service providers. The Commission suspended the proposed tariff revision pending hearing or hearings concerning such changes and the justness and reasonableness thereof.

2 **Conference:** The Commission convened a prehearing conference in this docket at Olympia, Washington on September 4, 2002, before Administrative Law Judge Karen M. Caillé for purposes of addressing Columbia Rural Electric Association’s Motion to Compel.

3 **Appearances.** James M. Van Nostrand, Stoel Rives LLP, Seattle, Washington, represents PacifiCorp. Don Trotter, Assistant Attorney General, Olympia, Washington, represents Staff of the Washington Utilities and Transportation Commission (Commission Staff). Michael V. Hubbard, Hubbard Law Office, Waitsburg, Washington represents Columbia Rural Electric Association (CREA).

4 **Motion to Compel.** On August 28, 2002, CREA filed a motion to compel PacifiCorp to respond to certain data requests. PacifiCorp filed a response in opposition to the motion on September 3, 2002. During the hearing on the motion to compel, CREA and PacifiCorp provided further argument on their respective positions. Commission Staff supported PacifiCorp’s position, and read a statement on behalf of Public Counsel indicating that Public Counsel did not take a position on the motion to compel.

- 5 Following the parties' arguments, I denied CREA's motion to compel for the following reasons. The information requested by CREA is outside the scope of CREA's limited intervention status set forth in the Commission's Second Supplemental Order. Moreover, the information CREA seeks would explore why customers are leaving PacifiCorp, an issue that is outside the scope of this proceeding to determine the merits of PacifiCorp's proposed tariff revision.

Dated at Olympia, Washington, and effective this 6th day of September, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

KAREN M. CAILLÉ
Administrative Law Judge

NOTICE TO PARTIES: This is an Interlocutory Order of the Commission. Administrative review may be available through a petition for review, filed within 10 days of the service of this Order pursuant to WAC 480-09-760.