

Agenda Date: June 29, 2005  
Item Number: A1

**Docket:** UE-050605  
Company Name: PacifiCorp

Staff: Hank McIntosh, Energy Analyst

**Recommendation:**

Grant the Petition of PacifiCorp for a temporary exception of WAC rule 480-107-060(2) requiring (a) filing of draft Request for Proposals (RFP) until July 20, 2005.

**Introduction:**

PacifiCorp (Company) filed an electric Least Cost Plan in January 2005. WAC 480-107-060(2)(a) states... "The electric utility shall solicit bids for electric power and electrical savings in conjunction with its least cost planning schedule. The electric utility is required to file its draft request for proposal with the Commission within ninety days of the electric utility's filing of its final least cost plan." In a letter dated April 18, 2005, the Company requested a temporary exception of this requirement for 90-days, or until July 20, 2005. The provision for such requests is in WAC 480-107-170(3).

**Background:**

PacifiCorp serves customers in six states and has as many state regulatory jurisdictions. Each state requires filing Requests for Proposals (RFPs) to assess the market for power resources and each does so after somewhat different Integrated Resource Plan (IRP) processes. PacifiCorp produced and timely filed its 2005 IRP with the WUTC January 20, 2005. The Rule provides that they should have filed a draft RFP document by April 20, 2005.

The WUTC has granted extensions of filing time for the draft RFP requirement before. For example, Avista was granted an extension of time in Docket UE-011438 and in Docket UE-021052.

**Discussions and Considerations:**

The Company contends that the varying timelines for review and some variations in filing deadline among states made a timely and useful draft filing under the Washington schedule unmanageable.

PacifiCorp intends to file their draft RFP on a simultaneous basis with three commissions (Washington, Oregon, and Utah). This marks the Company's first attempt to file parallel drafts and it is attempting to do it consistent with the intent of the rules and law in each jurisdiction. In particular, this will be the first attempt by any company to implement the provisions of new legislation (SB-26) in Utah. This legislation mandates the use of a bidding process and, in cases of 100MW resources contracted for more than 10 years, the use of a Certificate of Convenience and Necessity (CCN).

PacifiCorp's intends to file a compliance product within 60-days from the date required by Rule. However, they request 30 additional days of deferral, for a total of 90-days, to allow for the reasonable possibility of time problems due to the as immature process within the Utah procurement policy.

PacifiCorp is in the process of drafting the RFP and on June 14, 2005, held pre-draft RFP sessions with potential bidders, to elicit advice for the draft RFP.

**Recommendation:**

Staff believes PacifiCorp's coordinated three-state approach is reasonable and recommends that the Commission grant the Company request for a delay until July 20, 2005, by waiving WAC 480-107-060(2)(a).