

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PACIFICORP d/b/a PACIFIC POWER &
LIGHT COMPANY,

Respondent.

DOCKET UE-191024

RESPONSE OF PUBLIC COUNSEL
TO COMMISSION STAFF'S
PETITION TO INITIATE JOINT
INVESTIGATION

1. Pursuant to WAC 480-07-370(4), Public Counsel submits this response to the Petition to Initiate Joint Investigation, filed by the Staff of the Washington Utilities and Transportation Commission (“Commission”).
2. Staff requests the Commission to initiate a joint investigation into the coal supply agreement for Colstrip Units 3 and 4 entered into by Avista Utilities (“Avista”), Puget Sound Energy (“PSE”), and Pacific Power and Light Company (“PacifiCorp”) (“Colstrip Owners”).¹ Staff seeks to investigate the prudence of the increased costs associated with the coal supply agreement and the allocation of costs and benefits associated with a plan to apply combustion additives to coal burned at Units 3 and 4 in order to qualify for a Production Tax Credit.² Staff states that the issues are common to all of the Colstrip Owners³ and asserts that a joint investigation would promote judicial economy, resolve confidentiality concerns, and enable the Commission to obtain the necessary information on the issues.⁴

¹ Commission Staff’s Petition to Initiate Joint Investigation, ¶ 7 (Jan. 30, 2020) (“Petition”).

² *Id.*

³ *Id.* ¶ 1.

⁴ *Id.* ¶ 5.

3. Public Counsel agrees with Staff that the questions raised regarding the coal supply contracts must be investigated and shares Staff's concerns over judicial economy and confidentiality. Attempting to address these issues in three separate dockets will needlessly require triplication of time and effort for parties and the Commission and will significantly complicate the handling of confidential information. As evidenced by the experience in Docket UE-190882, a joint investigation would be the most efficient and effective way to conduct an investigation into issues shared by multiple utilities. Public Counsel, therefore, supports Staff's petition to initiate a joint investigation of the Colstrip coal supply contracts.

DATED this 20 day of February, 2020.

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