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June 28, 2013

VIA FIRST CLASS MAIL

Steven V. King
Executive Director and Secretary - Acting
Washington Utilities and Transportation
Commission
1300 S. Evergreen Park Dr. S.W.
Olympia, WA 98504-7250

RE: *PacifiCorp v. Washington Utilities Transportation Commission*
Thurston County Superior Court Case No. 12-2-0266-7-7
Court of Appeals Division II Case No. 44591-3-II
Our File No.: 114407-191100

Dear Mr. King:

We represent PacifiCorp in the above-referenced matter.

We request that the Commission supplement the Administrative Record by forwarding to the Superior Court of Thurston County Order 14, which reopened the record to redesignate confidential exhibits. A copy of Order 14 is enclosed. As far as we are aware, Order 14 was not included in the Commission's transmission to the Superior Court of the record on or around April 18, 2013.

Thank you for your attention to this matter.

Very truly yours,

SCHWABE, WILLIAMSON & WYATT, P.C.


Averil Rothrock

AAR

STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION
COMMISSION
2013 JUL -1 AM 9:28

Steven V. King
June 28, 2013
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Enclosures: Order 14
Notices of Appearance and Substitution

cc: Sara Kobak
Jay T. Waldron
Katherine A. McDowell
Melinda J. Davison
Donald T. Trotter
Simon J. ffitc
Ryan Flynn
Sarah Elizabeth Wallace



**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET UE-100749
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	ORDER 14
)	
v.)	
)	
PACIFICORP D/B/A PACIFIC)	ORDER REOPENING
POWER & LIGHT COMPANY,)	EVIDENTIARY RECORD AND
)	ADMITTING REVISED EXHIBITS
Respondent.)	
)	
.....)	

BACKGROUND

- 1 On August 23, 2012, the Washington Utilities and Transportation Commission (Commission) entered Order 10, Order Establishing Disposition of Proceeds from the Sale of Renewable Energy Credits (Order 10). The Commission entered Order 11 on November 30, 2012, denying the petition of PacifiCorp d/b/a Pacific Power and Light Company (PacifiCorp or Company) for reconsideration of Order 10. PacifiCorp is seeking judicial review of those orders.
- 2 On March 27, 2013, PacifiCorp filed a Motion to Modify Confidentiality Designations (Motion). The Company requests that the Commission reopen the evidentiary record in this docket for the limited purpose of modifying some of the confidentiality designations of the following exhibits:

- ALK-2CT Pre-filed Direct Testimony of Andrea L. Kelly
- RBD-28CT Pre-filed Rebuttal Testimony of R. Bryce Dalley
- RBD-29C Correction of WUTC Staff’s Position
- RBD-30C Correction of ICNU/Public Counsel’s Position
- KHB-7CT Pre-filed Response Testimony of Kathryn H. Breda
- KHB-8C Calculation of Washington REC Revenues 2008 & 2010
- KHB-9TC Pre-filed Cross-Answering Testimony of Kathryn H. Breda

KHB-10C Reconciliation between Parties Calculation of Washington REC Revenues for 2009 and 2010
DWS-5CT Pre-filed Response Testimony of Donald W. Schoenbeck
DWS-6C Source of 2009 RECs

PacifiCorp provided revised copies of these exhibits that reflect the modified designations. In addition, the Company has identified portions of the evidentiary hearing transcript and parties' post-hearing briefs that include information that should no longer be designated as confidential.

3 On March 28, 2013, Commission Staff filed a reply in support of PacifiCorp's Motion. Staff explains that the Thurston County Superior Court has required the Company to re-evaluate the confidentiality designations in the record to be forwarded to the Court and entered its own protective order to protect the confidentiality of properly designated record information. No other party responded to the Motion.

DISCUSSION

4 The Commission finds PacifiCorp's request to be reasonable. The Commission, like the Superior Court, takes seriously its obligation to make available to the public all documents filed with the agency except the limited portions of those documents that contain information properly designated as confidential or otherwise exempt from public disclosure. Parties to Commission dockets retain the obligation to ensure that information designated as confidential remains properly designated. Revising the record in this docket to make more information publicly available is consistent with this obligation, the Superior Court's requirement, and the public interest.

ORDER

THE COMMISSION ORDERS that:

- 5 (1) The evidentiary record in this docket is reopened for the limited purpose of revising the confidential designation of information in exhibits that PacifiCorp no longer contends is confidential.
- 6 (2) The revised exhibits listed in this Order are admitted into the record in place of the previous exhibits, and the evidentiary record is once again closed.

- 7 (3) The Commission will conform the hearing transcript and post-hearing briefs filed with the Commission to the revised confidentiality designations.

Dated at Olympia, Washington, and effective April 4, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

GREGORY J. KOPTA
Administrative Law Judge

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION TWO

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

Appellant,

vs.

WASHINGTON UTILITIES AND
TRANSPORTATION
COMMISSION, a Washington state
agency,

Respondent.

No. 44591-3-II

NOTICE OF WITHDRAWAL
AND SUBSTITUTION OF
COUNSEL

TO: Clerk of the above-entitled court

AND TO: All parties and counsel of record


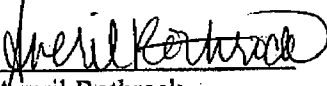
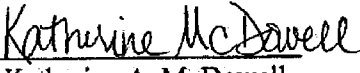

YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE THAT, the undersigned, Elizabeth Thomas and Kari Vander Stoep of K&L Gates LLP, whose address is stated below, hereby withdraw as attorneys of record for Appellant PACIFICORP d/b/a PACIFIC POWER & LIGHT COMPANY.

YOU ARE FURTHER NOTIFIED that Averil Rothrock of Schwabe, Williamson & Wyatt, P.C., 1420 5th Avenue, Suite 3400, Seattle, WA 98101 and Katherine A. McDowell of McDowell Rackner & Gibson, P.C., 419 SW 11th Avenue, Suite 400, Portland, OR 97205, are hereby substituted as attorneys of record for the withdrawing counsel for Appellant PACIFICORP d/b/a PACIFIC POWER & LIGHT COMPANY. Copies of all further papers and proceedings herein, except original

process, shall be served upon the substituted attorneys of record.

This Withdrawal and Substitution of Counsel is effective as of
May 28th, 2013.

Dated this 28th day of May, 2013.

<p>K&L GATES LLP</p> <p>By:  Elizabeth Thomas WSBA #11544 lizthomas@klgates.com Kari Vander Stoep WSBA #35923 kari.vanderstoep@klgates.com</p> <p><i>Withdrawing Attorneys for Appellant PacifiCorp d/b/a Pacific Power & Light Company</i></p>	<p>SCHWABE, WILLIAMSON & WYATT</p> <p>By:  Averil Rothrock WSBA #24248 arothrock@schwabe.com <i>Substituting Attorney for Appellant PacifiCorp d/b/a Pacific Power & Light Company</i></p> <p>McDOWELL RACKNER & GIBSON</p> <p>By:   Katherine A. McDowell WSBA #18560 katherine@med-law.com</p> <p><i>Substituting Attorney for Appellant PacifiCorp d/b/a Pacific Power & Light Company.</i></p>
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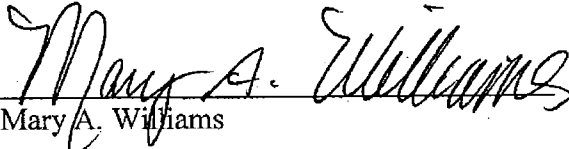
CERTIFICATE OF SERVICE

The undersigned declares under penalty of perjury, under the laws of the State of Washington, that the following is true and correct:

That on the 26th day of May, 2013, I arranged for service of the foregoing NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL to the parties to this action via First Class U.S. Mail:

<p>Elizabeth Thomas Kari Lee Vander Stoep K&L Gates LLP 925 4th Ave., Ste 2900 Seattle, WA 98104-1158 Tel: 206.623.7580 Fax: 206.623.7022 E-mail: lizthomas@klgates.com E-mail: kari.vanderstoep@klgates.com <i>Withdrawing Attorneys for Appellant PacifiCorp d/b/a Pacific Power & Light Company</i></p>	<p>Donald T. Trotter Office of Attorney General Utilities and Transportation Division 1400 S. Evergreen Park Drive SW POB 40128 Olympia, WA 98504-0128 Tel: 360.664.1183 Fax: 360.586.5522 E-mail: dtrotter@utc.wa.gov <i>Attorney for Respondent Washington Utilities and Transportation Commission</i></p>
<p>Simon J ffitich Office of Attorney General Public Counsel Division 800 5th Ave, Ste 2000 Seattle, WA 98104-3188 Tel: 206.389.2055 Fax: 206.464.6451 E-mail: simonf@atg.wa.gov <i>Attorney for Public Counsel Division</i></p>	<p>Ryan Leis Flynn Sarah Elizabeth Wallace PacifiCorp 825 NE Multnomah St., Ste 2000 Portland, OR 97232-2152 Tel: 503.813.5854 Fax: 503.813.7262 E-mail: ryan.flynn@pacificorp.com E-mail: sarah.wallace@pacificorp.com <i>Attorneys for Appellant, PacifiCorp d/b/a Pacific Power & Light Company</i></p>

Melinda J. Davison Davison Van Cleve PC 333 SW Taylor St., Ste 400 Portland, OR 97204-2413 Tel: 503.241.7242 Fax: 503.241.8160 E-mail: mjd@dvcclaw.com <i>Attorney for Other Party, Industrial Customers of Northwest Utilities</i>	
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Mary A. Williams

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