

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of	)	DOCKET UE-230482
	)	
PACIFICORP d/b/a PACIFIC POWER & LIGHT COMPANY,	)	PETITION FOR CASE
	)	CERTIFICATION AND NOTICE OF
2022 Power Cost Adjustment Mechanism	)	INTENT TO REQUEST FUND GRANT
Annual Report.	)	OF THE ALLIANCE OF WESTERN
_____	)	ENERGY CONSUMERS

1 Pursuant to WAC § 480-07-370(3), Order 02 issued by the Washington Utilities and Transportation Commission (“Commission”) in Docket No. U-210595, and Articles 5.2.1 and 6.2 of the Washington Extended Interim Participatory Funding Agreement (“Extended Interim Agreement”), the Alliance of Western Energy Consumers (“AWEC”) files this Petition for Case Certification (“Petition”) and Notice of Intent to Request Fund Grant (“Notice”) in the above-referenced docket.

2 As required by Article 6.2 of the Extended Interim Agreement, AWEC is serving this Petition and Notice on PacifiCorp and each party to the proceeding. Article 6.2 of the Extended Interim Agreement also requires a Participating Organization seeking a Fund Grant to file its Petition and Notice on or before the date of the prehearing conference or at such other time as the Commission designates. AWEC filed a motion seeking waiver of this timing requirement concurrent with its request in this case.

3 Pursuant to Article 6.2, AWEC identifies the PacifiCorp Customer Representation Sub-Fund as the fund from which AWEC requests a Fund Grant. AWEC is concurrently filing its Proposed Budget in this proceeding.

4           The Extended Interim Agreement provides funds “to qualified parties to enable them to advocate on behalf of broad customer interests in proceedings before the [Commission].”<sup>1</sup> To be eligible for funding under the Extended Interim Agreement, a Participating Organization must be (1) case-certified for (2) an Eligible Proceeding. An “Eligible Proceeding” is, among other things, “any proceeding before the Commission carried out in accordance with or under the auspices of the public service laws, Commission regulations, or Commission orders ... directly affecting one or more of the Participating Public Utilities, in which matters materially affecting the public interest are at issue.”<sup>2</sup>

5           PacifiCorp’s 2022 Power Cost Adjustment Mechanism qualifies as an “Eligible Proceeding.” PacifiCorp is a Participating Public Utility under the Extended Interim Agreement.<sup>3</sup> Additionally, this case will be carried out under the public service laws, namely RCW § 80.28.020, among others, and it will materially affect the public interest.

6           Under Article 5.1 of the Extended Interim Agreement, “[o]nly parties that are case-certified for a particular proceeding will be eligible to receive Fund Grants.” Article 5.2.1 provides the necessary criteria for being case-certified to receive Fund Grants from the Customer Representation Sub-Fund. AWEC meets each of these criteria.

7           First, AWEC is neither a for-profit organization nor a governmental entity. AWEC is a non-profit organization formed for the benefit of its members.

8           Second, AWEC represents broad customer interests. AWEC represents the class of industrial customers that take electric service from PacifiCorp and has several members that

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<sup>1/</sup> Extended Interim Agreement, Recitals.  
<sup>2/</sup> Extended Interim Agreement, Article 1(c).  
<sup>3/</sup> *Id.* Article 1(g).

are PacifiCorp industrial customers. While the Commission declined to specifically define what constitutes “broad customer interests” in its Policy Statement on Participatory Funding for Regulatory Proceedings,<sup>4/</sup> RCW § 80.28.430(1), the statute authorizing the Extended Interim Agreement, explicitly states that “broad customer interests” includes industrial customers. Moreover, the Commission has previously found that AWEC represents broad customer interests in PacifiCorp proceedings.<sup>5</sup>

9           Third, AWEC has demonstrated in past proceedings that it is able to effectively represent PacifiCorp’s industrial customers. AWEC has been granted intervention, and has fully participated, in prior PacifiCorp rate proceedings, including its most recent General Rate Case, UE-230172, its Limited Issue Rate Filing, UE-210532, and its Power Cost Only Rate Case, UE-210402. AWEC routinely sponsors multiple expert witnesses that identify numerous adjustments to PacifiCorp’s proposed revenue requirement. AWEC’s advocacy has directly resulted in lower energy costs both for industrial customers and for PacifiCorp’s customers overall.

10           Fourth, no other party to this proceeding (and, thus, no other stakeholder that could be case-certified) adequately represents the interests of industrial customers. Moreover, as demonstrated above, the specific interests of industrial customers and the public interest will benefit from AWEC’s participation in this proceeding.

11           Finally, AWEC’s request for case-certification will not unduly delay this proceeding.

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<sup>4/</sup> Docket No. U-210595, Policy Statement ¶ 27 (Nov. 19, 2021).

<sup>5</sup> Docket No. UE-210829, Order 04 ¶ 14 (June 5, 2023).

12                      Accordingly, AWEC respectfully requests that its Petition for Case Certification  
be granted as provided in the Interim Agreement.

Dated this 14th day of February, 2024

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

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