

TABLE OF CONTENTS

I. INTRODUCTION1

II. BACKGROUND2

III. ARGUMENT4

1. PacifiCorp Has Not Submitted Sufficient Evidence to Meet Its Burden of Proof6

2. The Net Removal Tariff is Unnecessary7

 A. Approval of the Net Removal Tariff Would Result in Double Recovery of Net Removal Costs7

 i. PacifiCorp Already Recovers Disconnection and Removal Costs in Rates8

 ii. PacifiCorp Already Applies its Accommodation Tariff to Recover Excess Net Removal Costs9

 B. The Net Removal Charge is Not Necessary to Prevent Any Safety or Operational Problems10

3. PacifiCorp’s Net Removal Tariff Violates Washington Law Because It Does Not Specify the Rate or Charge11

 A. All Public Utility Tariffs Must Have Plain and Clear Terms and Specify the Rate or Charge for Services12

 B. PacifiCorp’s Net Removal Tariff Does Not Specify the Rate or Charge, and Allows the Company to Unilaterally Determine the Price for Services14

 C. PacifiCorp Will Not Provide Customers with a Reliable Estimate of Net Removal Costs17

 D. PacifiCorp will Utilize the Vague and Ambiguous Net Removal Tariff to Prevent Competition and Harm Customers19

4. PacifiCorp’s Net Removal Tariff Violates the Statutory Prohibition on Rate Discrimination and Undue Preference21

 A. The Net Removal Tariff Will Discriminate Against Small

Commercial Customers22

B. PacifiCorp May Use the Net Removal Tariff to Discriminate
Against Customers22

5. PacifiCorp’s Net Removal Tariff Illegally Charges Former
Customers for Unnecessary and Unwanted Services24

IV. CONCLUSION25