

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	DOCKET UE-152253
TRANSPORTATION COMMISSION,	)	
	)	
Complainant,	)	
	)	PETITION FOR RULES EXEMPTION
v.	)	OF BOISE WHITE PAPER, L.L.C.
	)	
PACIFIC POWER & LIGHT COMPANY,	)	
	)	
Respondent.	)	

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1                    Pursuant to WAC § 480-07-110(2), Boise White Paper, L.L.C. (“Boise”) files this petition for rules exemption (“Petition”) to accompany Boise’s concurrently filed motion to dismiss and alternative motion to treat as a general rate case filing (“Motions”). Specifically, Boise petitions the Washington Utilities and Transportation Commission (or the “Commission”) to approve an exemption, waiver, or modification of any rules, as necessary, in order to consider Boise’s Motions, consistent with the public interest per WAC § 480-07-110(1).

2                    On December 2, 2015, Boise filed a petition to intervene in this proceeding, along with a notice of appearance for Boise counsel.<sup>1/</sup> The Commission then issued a complaint and suspension order on December 8, 2015, followed the same day by the issuance of a notice of a prehearing conference scheduled for December 22, 2015. With the prehearing conference still pending, no determination has yet been made on Boise’s intervention petition.

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<sup>1/</sup> Boise’s address is contained in that initial petition to intervene.

3                   While Boise has, therefore, not yet been granted status as a “party” or  
“intervenor” to this proceeding,<sup>2/</sup> Boise respectfully requests that the Commission approve this  
Petition and exercise its authority, in this particular circumstance, to exempt Boise from any rule  
requirements that would prohibit motion filings for any non-party persons.<sup>3/</sup> Any requisite  
exemption, modification, or waiver of the Commission’s motion-filing rules would be fully  
consistent with the public interest.

4                   Pacific Power & Light Company (“Pacific Power”) has filed a petition for  
approval of an expedited rate filing (“ERF”) and a two-year rate plan, seeking a very abbreviated  
schedule, including a proposed ERF rate increase with an effective date of May 1, 2016.  
Consequently, time will be of the essence for the Commission and all interested persons to  
determine a reasonable and appropriate procedural schedule. Boise’s Motions address issues  
relevant to procedural scheduling, including whether future parties need to determine a  
procedural schedule (i.e., Boise’s motion to dismiss), or whether procedural scheduling  
discussions should take place in the context of a general rate proceeding format or an ERF (i.e.,  
Boise’s alternative motion). Thus, considerable time and effort may be saved through a ruling  
upon Boise’s Motions prior to determinations on interventions and scheduling issues at the  
prehearing conference.

5                   Finally, Pacific Power and any other parties or interested persons that elect to  
respond to Boise’s Motions will have ample opportunity to respond before the scheduled  
prehearing conference. For instance, Commission rules allow for a ten-day response period to

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<sup>2/</sup> WAC § 480-07-340(b), (f).

<sup>3/</sup> See WAC §§ 480-07-375, -380, -385.

filed motions to dismiss.<sup>4/</sup> As Boise is filing its Motions more than ten days prior to the scheduled prehearing conference, there should be no concern that any parties or interested persons would have an inadequate opportunity to respond, if they elect to do so.

Dated this 10th day of December, 2015.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.



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<sup>4/</sup> WAC § 480-07-380(1)(c).