



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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November 17, 2022

NOTICE SUSPENDING PROCEDURAL SCHEDULE

and

**NOTICE OF DEADLINES FOR FILING MOTION
AND RESPONSES TO MOTION
(set for Thursday, December 1, 2022, and Thursday, December 15, 2022)**

RE: *Washington Utilities and Transportation Commission v. PacifiCorp, d/b/a Pacific Power & Light Company*
Docket UE-220376

TO ALL PARTIES:

On June 6, 2022, the Washington Utilities and Transportation Commission (Commission), through its staff (Staff), issued a Complaint and Notice of Prehearing Conference in Docket UE-220376 (Complaint). The Complaint alleges that PacifiCorp d/b/a Pacific Power & Light Company (PacifiCorp or Company) violated Commission Order 01 in Docket UE-210829,¹ Revised Code of Washington (RCW) 19.280.030(3)(a)(ii), RCW 19.280.030(3)(a)(iii), Washington Administrative Code (WAC) 480-100-640(7), and WAC 480-100-660(4) by failing to incorporate the social cost of greenhouse gases (SCGHG) in the preferred portfolio of its CEIP. The Complaint requests the Commission find PacifiCorp in violation of statute, Commission rule, and Commission order and assess a penalty of \$1,000 per day for each of the five violations alleged.

The Commission reconvened a virtual prehearing conference in this matter on September 6, 2022, before Administrative Law Judge Andrew J. O'Connell.

¹ *In re Petition of PacifiCorp d/b/a Pacific Power & Light Co Seeking Exemption from the Provisions of WAC 480-100-605*, Docket UE-210829, Order 01, Denying Petition for Exemption, (Dec. 13, 2021).

On September 8, 2022, the Commission entered Order 04, Prehearing Conference Order; Notice of Hearing, adopting with modifications a procedural schedule proposed by the parties at the reconvened prehearing conference.

On November 14, 2022, Staff contacted Judge O'Connell on behalf of the parties to indicate that the parties had reached a multiparty settlement in principle and to request the Commission suspend the procedural schedule and set a December 1, 2022, deadline for filing the settlement and motion to withdraw the Complaint. Staff also indicated that the Alliance of Western Energy Consumers would not oppose the settlement and motion, but that the Public Counsel Unit of the Washington Attorney General's Office may. The parties also requested that the Commission proceed on a paper record.

A party may withdraw a complaint only upon permission granted by the Commission in response to a written motion, which must include any settlement or other agreement pursuant to which the party is seeking withdrawal.² The Commission will grant a motion to withdraw when the withdrawal is in the public interest.³ No party may file a response to a motion to withdraw unless the Commission authorizes a response.⁴

The Commission finds good cause to suspend the procedural schedule, proceed in this matter on a paper record, and set a December 1, 2022, deadline for filing the settlement and motion to withdraw the Complaint.

THE COMMISSION GIVES NOTICE That the procedural schedule in this matter is suspended.

THE COMMISSION GIVES FURTHER NOTICE That the settlement and motion to withdraw the Complaint must be filed with the Commission by 5 p.m. on December 1, 2022.

In addition, the Commission finds it appropriate in this proceeding and consistent with principles of fairness and standards of due process to authorize responses to the settlement and motion to withdraw the Complaint. All responses, if any, to the motion to withdraw the Complaint must be filed with the Commission by 5 p.m. on December 15, 2022.

THE COMMISSION GIVES FURTHER NOTICE That any party intending to respond to the settlement and motion to withdraw must file with the Commission its response by 5 p.m. on December 15, 2022.

² WAC 480-07-380(3)(a).

³ WAC 480-07-380(3)(b).

⁴ WAC 480-07-380(3)(b).

/s/ *Andrew J. O'Connell*

ANDREW J. O'CONNELL

Administrative Law Judge