

**BEFORE THE**  
**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of	)	
	)	DOCKET UE-210829
PACIFICORP, d/b/a PACIFIC POWER & LIGHT COMPANY,	)	
	)	PROPOSED BUDGET OF
2021 Clean Energy Implementation Plan.	)	THE ALLIANCE OF WESTERN
	)	ENERGY CONSUMERS
_____	)	

1 Pursuant to the Washington Interim Participatory Funding Agreement (“Funding Agreement”), approved by the Washington Utilities and Transportation Commission (“WUTC” or “Commission”) in Order 01 in Docket No. U-210595, the Alliance of Western Energy Consumers (“AWEC”) hereby submits its proposed budget in the above-captioned proceeding.

2 On November 1, 2021, PacifiCorp d/b/a Pacific Power & Light Company (“PacifiCorp” or the “Company”) filed its Draft 2021 Clean Energy Implementation Plan (“CEIP”). The Commission docketed this filing as UE-210829.

3 On December 30, 2021, PacifiCorp filed its Final 2021 Clean Energy Implementation Plan.<sup>1</sup>

4 Docket UE-210829 is an Eligible Proceeding for Fund Grants under Article 1(c) of the Funding Agreement. Accordingly, a Fund Grant may be made for this proceeding under the Funding Agreement.

5 Concurrent with this budget request, in accordance with Article 6.2 of the Funding Agreement, AWEC filed its Request for Case Certification and Notice of Intent to Request a Fund Grant, which was also served on PacifiCorp and all parties of record in this proceeding. In

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<sup>1</sup> PacifiCorp made errata filings to its Final CEIP on April 19, 2022, and April 27, 2022.

that filing, AWEC identified the PacifiCorp Customer Representation Sub-Fund as the account from which AWEC intends to request a Fund Grant.

6 Pursuant to Article 6.3 of the Funding Agreement, AWEC files this Proposed Budget in this case for a PacifiCorp Customer Representation Sub-Fund grant in the amount of **\$10,000.**<sup>2</sup> AWEC reserves the right to file an amended proposed budget and request an additional Fund Grant should the needs of this case increase, including if PacifiCorp's CEIP is contested. The following information is provided in accordance with Articles 6.3 and 6.6 of the Funding Agreement.

7 **Statement of work to be performed by AWEC for which AWEC is seeking a Fund Grant.** AWEC has retained Davison Van Cleve, P.C. to represent it in this Docket. AWEC will review PacifiCorp's CEIP, attend all workshops and open meetings, and will participate as necessary to represent its interests in this case.<sup>3</sup> Should PacifiCorp's CEIP become an adjudicated proceeding, AWEC may also submit expert witness testimony and briefs as called for by the procedural schedule adopted at such time.<sup>4</sup>

8 **Description of the general areas to be investigated by AWEC.** AWEC intends primarily to address PacifiCorp's interim targets and renewable and clean energy acquisitions, particularly in light of the comments filed by other stakeholders to this proceeding. AWEC did not file opening comments because it has no significant concerns with the Company's CEIP relative to these issues; however, other parties' comments have clarified the range of possible

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<sup>2</sup> AWEC has not sought a Fund Grant for either Avista's or Puget Sound Energy's respective CEIPs at this time given that each utility has an ongoing general rate case proceeding in which AWEC is seeking a Fund Grant. The lack of requests in those proceedings represents AWEC's balance of requests relative to the needs of pending cases, and is not reflective of the importance of each utility's CEIP.

<sup>3</sup> WAC 480-100-645(2).

<sup>4</sup> *Id.*

changes to issues impacting industrial customer interests, including PacifiCorp’s interim targets, renewable and clean energy acquisitions, and incremental cost calculation methodology.

9                    **Identification of the specific Sub-Fund from which AWEC is seeking a Fund Grant and an estimate of the amount of available funds in that account, if known.** AWEC is seeking a Fund Grant from the 2022 PacifiCorp Customer Representation Sub-Fund, which AWEC understands currently has a balance of \$200,000.

10                   **A budget showing estimated attorney fees, which may include the cost for appropriate support staff and operational support.** AWEC’s proposed budget, setting forth estimated attorney fees, support staff costs and operational support costs, appears in Exhibit A.

11                   **A budget showing estimated consultant fees and expert witness fees, which may include the cost for appropriate support staff and operational support.** AWEC’s proposed budget, setting forth consultant fees and expert witness fees, is also included in Exhibit A.

12                   **Cooperative Efforts.** Article 6.6 of the Funding Agreement requires all case-certified parties to make reasonable efforts to enter into agreements with each other to combine their efforts and resources in a case. At this time, there are no other case-certified organizations with whom AWEC could confer. AWEC reached out to PacifiCorp regarding this request, and PacifiCorp indicated that it does not oppose AWEC’s requested amount. AWEC also reached out to the parties potentially eligible to seek Customer Representation Sub-fund grants prior to this filing. AWEC is not aware of any opposition or concerns from other parties.

13                   **Additional Considerations.** Article 6.5 of the Funding Agreement sets forth several factors that the Commission may consider when making a determination on budget requests. In aid of the Commission’s decision, AWEC provides the following information:

- a. This is the first year that utilities, including PacifiCorp, are filing CEIPs for Commission evaluation, meaning that the breadth and complexity of the issues are potentially substantial from both a policy and technical perspective. CEIPs are important planning documents, serving as a basis for utility compliance with Washington State's Clean Energy Transformation Act. As part of the process, interim targets, Customer Benefit Indicators and anticipated costs must be determined. Moreover, PacifiCorp's CEIP is heavily intertwined with its 2021 Integrated Resource Plan, which PacifiCorp states demonstrates a need for supply-side and demand-side resources. While the CEIP is a planning document, it is the basis for utility actions that will have rate impacts on PacifiCorp's customers, including its largest customers.
- b. As noted above, this case is PacifiCorp's first CEIP filing, making it possible, if not likely, that a number of policy issues will be evaluated, including setting appropriate interim targets, establishing Customer Benefit Indicators and ensuring that anticipated incremental costs are appropriately balanced with impacts to customers.
- c. Although a procedural schedule has not been set in this case, AWEC anticipates several workshops and an open meeting should PacifiCorp's CEIP remain uncontested. If this case becomes an adjudicatory proceeding, additional time and resources will be necessary to meet the demands of the corresponding procedural schedule.
- d. The dollar magnitude for the cost of compliance varies by scenario and from year to year over the term of the plan, and may significantly change if PacifiCorp

agrees or is required to amend its CEIP based on other parties' recommendations, at least some of which include proposals for a more aggressive resource acquisition strategy. The investment decisions made pursuant to the plan represent long-term costs for customers that, if incurred and approved for cost recovery, will be in rates for years to come. Concerns were also raised regarding PacifiCorp's methodology for calculating incremental costs, which may raise significant policy questions, particularly for PacifiCorp as a multi-jurisdictional utility.

- e. The Commission previously recognized AWEC as an "incumbent" organization with a history of representing industrial customers' interests before the Commission, and determined that no other party adequately represents the interests of industrial customers.<sup>5</sup>
- f. Assuming PacifiCorp's CEIP remains uncontested, to the extent that AWEC's costs are greater than Fund Grant amounts, AWEC will bear the costs of its participation.
- g. AWEC represents the interests of large energy consumers and has significant experience participating in Commission proceedings involving the Commission and PacifiCorp. AWEC and its predecessor, the Industrial Customers of Northwest Utilities, have participated in a number of PacifiCorp cases at least since PacifiCorp's 2005 general rate case, Docket No. UE-050684. Thus, AWEC possesses significant interest and expertise with respect to this proceeding.

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<sup>5</sup> See, e.g., *WUTC v. Avista Corporation d/b/a Avista Utilities*, Dockets UE-220053 and UG-220054 (Consolidated), Order No. 05 at ¶¶ 21-23 (Mar. 24, 2022); *WUTC v. Puget Sound Energy*, Dockets UE-220066 and UG-220067 (Consolidated), Order No. 08 at ¶¶ 24-26 (Mar. 24, 2022).

AWEC's participation will benefit all of PacifiCorp's industrial and large non-residential customers.

- h. The level of available funds in the PacifiCorp Customer Representation Sub-Fund for 2022 is \$200,000, none of which AWEC understands to have been utilized at this time. As such, AWEC's request is within the limits of available funding.
- i. At this time, AWEC is not aware of other PacifiCorp Eligible Proceedings for which stakeholders are likely to request a Fund Grant; however, AWEC is aware that PacifiCorp will file its annual Power Cost Adjustment Mechanism in June of this year. Depending on what that filing shows, AWEC or other stakeholders may file a Fund Grant request to participate in that proceeding.

14 Therefore, AWEC respectfully requests that the Commission issue an order granting a Fund Grant in the amount specified above.

Dated this 25th day of May, 2022.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

*/s/ Sommer J. Moser*

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**EXHIBIT A**

AWEC Proposed Budget for Fund Grant

Personnel	Hours	Rate	Cost
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<i>Attorney Fees</i>			
Partner	10	\$310	\$3,100
Of Counsel	10	\$295	\$2,950
Paralegal	5	\$180	\$900
 <i>Expert Witness Fees</i>			
Experts	10	\$290	\$2,900
 <i>Other Expenses</i>			
Travel			\$50
Printing and Postage			\$100
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Subtotal			\$10,000
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<b>Total AWEC Request for PacifiCorp Customer Representation Sub-Fund Grant</b>			<b>\$10,000</b>