

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of)	DOCKET UE-210829
)	
PACIFICORP, d/b/a PACIFIC POWER & LIGHT COMPANY,)	PETITION FOR CASE CERTIFICATION AND NOTICE OF INTENT TO REQUEST FUND GRANT
2021 Clean Energy Implementation Plan.)	OF THE ALLIANCE OF WESTERN ENERGY CONSUMERS
_____)	

1 Pursuant to WAC § 480-07-370(3), Order 01 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 Interim Participatory Funding Agreement (“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 Interim Agreement, AWEC is filing this Petition and Notice and is also serving this Petition and Notice on PacifiCorp and each party to the proceeding. At this time, there has been no prehearing conference or other such time designated by the Commission to file a Petition and Notice. Because this is not currently a contested case, it is unclear whether a prehearing conference or other Commission designation will take place. Nevertheless, AWEC’s Petition and Notice are properly filed because, as described below, PacifiCorp’s Clean Energy Implementation Plan (“CEIP”) is an “Eligible Proceeding” under the Interim Agreement and process in this proceeding is already occurring.

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 submitting its Proposed Budget concurrently with this filing.

4 The Interim Agreement provides funds “to qualified parties to enable them to advocate on behalf of broad customer interests in proceedings before the [Commission].”¹ To be eligible for funding under the 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.”^{2/}

5 PacifiCorp’s 2021 CEIP qualifies as an “Eligible Proceeding.” PacifiCorp is a Participating Public Utility under the Interim Agreement.³ Additionally, this case will be carried out under the public service laws, namely RCW § 19.405, among others, and it will materially affect the public interest. PacifiCorp’s CEIP details specific actions that it will take over the next four years (2022-2025) to comply with Washington State’s Clean Energy Transformation Act, and will inform PacifiCorp’s acquisition of supply-side resources, energy efficiency, demand response and community outreach and engagement.⁴ Additionally, this is the first CEIP PacifiCorp has filed, which makes it possible, if not likely, that broader policy matters associated

¹ Interim Agreement, Recitals.

² Interim Agreement, Article 1(c).

³ *Id.* Article 1(g).

⁴ Docket UE-210829, PacifiCorp Clean Energy Implementation Plan at 6 (Errata, April 19, 2022).

with future CEIPs could be determined in this docket. As such, PacifiCorp’s CEIP is a matter materially affecting the public interest.

6 Under Article 5.1 of the 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 criteria necessary 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, including members that are industrial customers of PacifiCorp. RCW § 80.28.430(1), the statute authorizing the Interim Agreement, explicitly states that “broad customer interests” includes industrial customers. The Commission has previously concluded that AWEC is an organization representing broad customer interests for purposes of the Interim Agreement.⁵

9 Third, AWEC has demonstrated in numerous past proceedings that it is able to effectively represent PacifiCorp’s industrial customers. 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. Most recently, AWEC fully participated in PacifiCorp’s Limited Issue Rate Filing, Docket UE-210532, its 2020 Power Cost Adjustment Mechanism, Docket UE-210447, and its Power Cost Only Rate Case, Docket

⁵ 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).

UE-210402. AWEC's participation has resulted in outcomes that are important to its members and benefit both PacifiCorp's industrial customers and 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. AWEC's Petition will not have any impact on any of the dates for future events in this proceeding.

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

Dated this 25th day of May, 2022.

Respectfully submitted,

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