



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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August 1, 2022

NOTICE OF OPPORTUNITY TO RESPOND
(Due by August 10, 2022, at 5 p.m.)

RE: *Washington Utilities and Transportation Commission v. PacifiCorp, d/b/a Pacific Power & Light Company*
Docket UE-210829

On December 28, 2020, the Washington Utilities and Transportation Commission (Commission) adopted new rules for both integrated resource plans and clean energy implementation plans for regulated utilities. In General Order R-601 in Dockets UE-191023 and UE-190698, the Commission determined that including the social costs of greenhouse gases (SCGHG) in the baseline portfolio is required by statute.¹ The baseline portfolio is the alternative lowest reasonable cost and reasonably available portfolio (Alternative LRCP).²

On November 1, 2021, PacifiCorp d/b/a Pacific Power and Light Company (PacifiCorp or the Company) filed a petition (Petition) with its draft clean energy implementation plan (CEIP) requesting an exemption from the provisions of WAC 480-100-605, which requires that the “alternative lowest cost and reasonably available portfolio” include the SCGHG “in the resource acquisition decision.”

The matter came before the Commission at its regularly scheduled meeting on December 9, 2021.

On December 13, 2021, the Commission issued Order 01, denying PacifiCorp’s Petition and ordered PacifiCorp to incorporate the “SCGHG as required by WAC 480-100-605 and RCW 19.280.030(3)(a).”³

¹ Dockets UE-191023 & UE-190698 (*Consolidated*), General Order 601, 47, ¶ 129 (CETA Rulemaking Order) (Dec. 28, 2020).

² *Id.* at ¶ 108

³ Order 01 at 3, 5, ¶¶ 11, 18.

On June 6, 2022, the Commission, through its staff (Commission staff), issued a Complaint and Notice of Prehearing Conference in Docket UE-220376 (Complaint). The Complaint alleges that PacifiCorp violated Commission Order 01, RCW 19.280.030(3)(a)(ii), RCW 19.280.030(3)(a)(iii), WAC 480-100-640(7), and WAC 480-100-660(4). Staff requested 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.

On June 28, 2022, Staff filed a Motion to Consolidate Docket UE-220376 with Docket UE-210829.

THE COMMISSION GIVES NOTICE That any person intending to respond to Staff's Motion to Consolidate must file a written response by August 10, 2022, at 5 p.m.

/s/ *Andrew J. O'Connell*

ANDREW J. O'CONNELL
Administrative Law Judge