



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
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February 7, 2025

**NOTICE PROVIDING OPPORTUNITY TO COMMENT
(By March 10, 2025)**

RE: *In the Matter of PacifiCorp d/b/a Pacific Power & Light Company*
Docket UE-210830; UE-152253

TO ALL PARTIES:

At its August 22, 2024, recessed open meeting, the Washington Utilities and Transportation Commission (Commission), considered PacifiCorp d/b/a Pacific Power & Light Company's (PacifiCorp or Company) compliance with the conservation targets established in its 2022-2023 Biennial Conservation Plan (BCP), which targets the Commission approved Order 01 in Docket UE-210830. After considering comments from the Company, Commission Staff and other interested persons, the Commission waived issuing penalties against PacificCorp in Docket UE-210830 and ordered the amendment of Order 12 in Docket UE-152253.

Order 12 in Docket UE-152253 required that PacifiCorp be subject to a decoupling penalty threshold in its BCPs. Order 12 in Docket UE-152253 did not include reference to statutory language clarifying that utilities could be considered in compliance with biennial conservation targets if such failure to achieve said goals is due to events beyond the control of the utility.

Accordingly, to clarify the Commission's discretion, the Commission proposes to amend paragraph 50 of Order 12 in Docket UE-152253 as follows:

50 The Company characterizes its change in the depreciable lives as a policy-based recommendation influenced by new and proposed laws and regulations that may impact the useful lives of the coal plants.⁵⁵ Pacific Power argues that since it filed its last depreciation study in January 2013, significant policy developments with regard to environmental regulations at both the state and federal level have occurred, including the

recent publication of the Clean Power Plan (CPP).⁵⁶ However, responding to clarification questions from the bench, Mr. Dalley conceded at hearing that no specific requirements exist in Washington to accelerate the retirement of PacifiCorp's steam generating units in Wyoming. Pursuant to RCW 19.285.040, PacifiCorp will be considered in compliance with its biennial acquisition target for cost-effective conservation if events beyond the reasonable control of the utility that could not have been reasonably anticipated or ameliorated prevented it from meeting the conservation target.

Further, the Commission amends paragraph 25 of Order 01 in Docket UE-210830 as follows:

- 25 (12) The Commission should accept PacifiCorp's calculation of its 10-year electric conservation potential of 471,050 MWh; EIA Target of 94,210 MWh; EIA Penalty Threshold of 87,436 MWh; and Decoupling Penalty Threshold of 4,711 MWh; subject to the conditions attached to this Order as Attachment A. Pursuant to RCW 19.285.040, PacifiCorp will be considered in compliance with its biennial acquisition target for cost-effective conservation if events beyond the reasonable control of the utility that could not have been reasonably anticipated or ameliorated prevented it from meeting the conservation target.

It's the Commission's intent that, in determining whether a qualifying utility is considered in compliance with its biennial target for cost-effective conservation, the penalty provisions associated with conservation targets will apply, but also the exemption in RCW 19.285.040, which provides that a qualifying utility be considered in compliance if events beyond the reasonable control of the utility that could not have been reasonably anticipated or ameliorated prevented it from meeting the conservation target.

THE COMMISSION GIVES NOTICE That if no party objects to the amendments as ordered in Docket UE-210830 the changes in this notice will become effective at the conclusion of the comment period.

/s/ Connor Thompson
CONNOR THOMPSON
Administrative Law Judge