

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON STATE ATTORNEY  
GENERAL'S OFFICE AND THE  
INDUSTRIAL CUSTOMERS OF  
NORTHWEST UTILITIES,

Joint Complainants,

v.

PACIFICORP, d/b/a PACIFIC POWER &  
LIGHT CORP.

Respondents.

Docket No. UE-110070

MOTION TO ESTABLISH DUE DATE  
TO RESPOND TO PACIFICORP'S  
MOTION TO DISMISS

1 Pursuant to WAC 480-07-375(1)(b) and WAC 480-07-380(2)(c), the Industrial Customers of Northwest Utilities ("ICNU") and the Public Counsel Section of the Washington State Attorney General's Office ("Public Counsel") hereby move for an order of Administrative Law Judge ("ALJ") Moss establishing February 28, 2011, as the due date for ICNU and Public Counsel to file a Response to PacifiCorp's Motion to Dismiss.

2 Because PacifiCorp has filed what is arguably a Motion for Summary Determination in the form of a Motion to Dismiss, there is ambiguity regarding the due date for the Response. Pursuant to WAC 480-07-380(2)(c), a Response to a Motion for Summary Determination must be filed within twenty days from service of the motion, unless a different date for filing is established by the Commission. ICNU and Public Counsel have conferred with

PacifiCorp, and all parties agree that ICNU and Public Counsel may file their Response within twenty days from service of PacifiCorp's Motion to Dismiss. Thus, the due date is February 28, 2011. ICNU and Public Counsel hereby request that the due date for the Response to PacifiCorp's Motion to Dismiss be established as February 28, 2011.

3 For the foregoing reasons, ICNU and Public Counsel respectfully request that ALJ Moss grant an order establishing February 28, 2011 as the due date for the Response to PacifiCorp's Motion to Dismiss.

Respectfully submitted,

DATED this 11th day of February, 2011.

PUBLIC COUNSEL

/s/ Sarah A. Shifley  
Sarah A. Shifley  
Assistant Attorney General  
Public Counsel Section  
800 Fifth Avenue, Suite 2000  
Washington State Attorney  
General's Office  
Seattle, WA 98104  
(206) 464-6595  
sarah.shifley@atg.wa.gov

DAVISON VAN CLEVE, P.C.

/s/ Melinda J. Davison  
Melinda J. Davison  
333 S.W. Taylor, Suite 400  
Portland, Oregon 97204  
(503) 241-7242 telephone  
(503) 241-8160 facsimile  
mjd@dvclaw.com  
Of Attorneys for Industrial  
Customers of Northwest Utilities