



December 27, 2021

VIA ELECTRONIC FILING

Amanda Maxwell
Executive Director and Secretary
Washington Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacy, Washington 98503-1036

RE: DO NOT REDOCKET
Docket UE-161311—Affiliated Interest Filing—Marmon Utility, LLC

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State Of WASH.
UTIL. AND TRANSP.
COMMISSION

Under the provisions of RCW 80.16.020 and in accordance with WAC 480-100-245, PacifiCorp dba Pacific Power & Light Company (PacifiCorp) provides notice of ordinary course affiliated interest transactions from time to time between PacifiCorp and Marmon Utility, LLC dba Hendrix Aerial Cable Systems (Marmon Utility).

In December 2016, PacifiCorp filed a notice that it was entering into a Master Materials Supply Contract with Marmon Utility for aerial cable system design, supply, and installation services (Master Contract). The Master Contract was amended by a First Amendment to Master Materials Supply Contract, effective March 6, 2020, by a Second Amendment to Master Materials Supply Contract, effective October 7, 2020, and a Third Amendment, effective May 28, 2021. PacifiCorp is now amending the Master Contract with Marmon Utility to extend the terms of the Master Contract through March 31, 2022 (Fourth Amendment) to allow for the purchase of covered conductors and other distribution infrastructure to support system resilience. A copy of the proposed Fourth Amendment is included as Attachment A.

PacifiCorp is a wholly-owned indirect subsidiary of Berkshire Hathaway Energy (BHE). In turn, BHE is a subsidiary of Berkshire Hathaway Inc. (Berkshire). Berkshire currently holds a majority interest in The Marmon Group, a holding company. The Marmon Group consists of approximately 185 companies. These are divided into 15 business sectors including engineered wire and cable, industrial products, and building wire. Marmon Utility is one of the companies owned by The Marmon Group.

RCW 80.16.020 includes in its definition of “affiliated interest,” “every corporation five percent or more of whose voting securities are owned by any person or corporation owning five percent or more of the voting securities of such public service company or by any person or corporation in any such chain of successive ownership of five percent or more of voting securities.” Therefore, Berkshire’s ownership interest in BHE and The Marmon Group creates an affiliated interest relationship between PacifiCorp and Marmon Utility.

Marmon Utility manufactures electrical distribution cable, cable systems, and accessories for aerial and underground utility applications. Among the items manufactured by Marmon Utility

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is covered “spacer cable.” Spacer cable is designed to be resilient to incidental contact (e.g. animals, fallen trees and tree limbs), have increased strength in the event of impact loads, and be tolerant to transient events such as lightning. In response to increasing concerns related to wildfires, PacifiCorp is actively taking steps to construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire. The company has identified several projects requiring procurement of spacer cable or other aerial cable system design, supply, and installation services. The Amendment provides the necessary extension for these projects to be completed, while continuing the other terms and conditions in the Master Contract. PacifiCorp estimates that it will procure approximately [REDACTED] in additional distribution cable and cable systems, and accessories under this amendment to support system resiliency. A significant portion of these investments will occur in distribution projects outside of Washington, and the costs of which would not be allocated to Washington customers. This estimate is confidential in accordance with WAC 480-07-160. The estimate is sensitive pricing and cost information which, if disclosed to the public, could erode the Company’s ability to bargain with vendors in the future.

When needed, Purchase Orders will continue to be prepared in accordance with PacifiCorp’s procurement policies and procedures and contain standard commercial terms and conditions to protect the company’s ability to provide safe, reliable service. Thus, continued use of Marmon Utility as supplier of the products under the Purchase Orders will not harm the public interest.

Also included with this filing is a notarized verification from Art Roberts, Procurement Manager, PacifiCorp, regarding the Amendments.

It is respectfully requested that all formal correspondence and Staff requests regarding this material be addressed to:

By email (preferred): datarequest@pacificorp.com

By regular mail: Data Request Response Center
PacifiCorp
825 NE Multnomah St Ste 2000
Portland OR 97232-2152

