BEFORE THE WASHINGTON UTILIITES AND TRANSPORTATION COMMISSION

In the Matter of

PACIFIC POWER & LIGHT COMPANY,

Petition For a Rate Increase Based on a Modified Commission Basis Report, Two-Year Rate Plan, and Decoupling Mechanism

DOCKET UE- 152253

NW ENERGY COALITION REPLY TO STAFF’S RESPONSE TO NW ENERGY COALITION’S PETITION TO INTERVENE

Pursuant to the Notice of Opportunity to Reply to Staff’s Opposition to NWEC’s Late-filed Petition to Intervene, issued January 22,2016, the NW Energy Coalition submits this reply to Staff’s Response to NW Energy Coalition’s Petition to Intervene, filed January 21, 2016.

In their Response, Staff objects to the NW Energy Coalition’s Petition to Intervene in the above referenced docket on several grounds.

First, Staff objects to the NW Energy Coalition Petition to Intervene on the grounds that it was a late-filed petition that did not include the required “satisfactory explanation of why the person did not timely file a petition.” WAC 480-07-355 (1) (b).

On January 14, 2016, the NW Energy Coalition erroneously filed a Petition to Intervene in the above referenced docket. On January 27, 2016, the NW Energy Coalition filed an amended Late-filed Petition to Intervene in this proceeding. The Commission’s party intervention rule allows for a party to file a late-filed petition to intervene. We ask the Commission to consider the NW Energy Coalition’s amended Late-filed Petition to Intervene, which does contain the required “satisfactory explanation of why the person did not timely file a petition.” WAC 480-07-355 (1) (b).

In our Late-filed Petition to Intervene, we provide the explanation for our late-filed petition:

The Coalition missed notice of the prehearing conference because it was not listed under the schedule section of the website for this docket. New staff with the Coalition assumed the “schedule” link in the docket’s electronic file was where notices of meetings and conferences would be posted and notice of the prehearing conference was not posted to this portion of the website. Under the assumption that the prehearing conference was not yet scheduled, the Coalition was waiting to file our intervention paperwork until we worked out the matter of legal representation in order to ensure full and accurate information in the Petition to Intervene. We now realize that the prehearing conference was listed under “Other Order” posted under the “documents” link, which led to applicant’s oversight and we regret the error.[[1]](#footnote-1)

Allowing the Coalition’s late intervention will in no way prejudice other parties in this proceeding. Additionally, a late intervention at this time will have no affect on other parties or on the existing schedule established in this proceeding.

Second, Staff objects to NW Energy Coalition’s Petition to Intervene on the grounds that the Coalition has not demonstrated that our “intervention would be in the public interest.” [[2]](#footnote-2)

Under the Commission’s party intervention rule, the Commission may grant a late- filed petition to intervene if the petition discloses a substantial interest in the subject matter of the hearing or if the petitioner’s participation is in the public interest. WAC 480-07-355(1)(b). The primary grounds for Staff’s objection to the Coalition’s intervention in this matter appears to be the fact that “the issues in which NWEC has expressed an interest will be addressed by existing parties.” [[3]](#footnote-3)

We object to Staff’s assertion that the NW Energy Coalition’s expertise adds nothing of value to this proceeding. The NW Energy Coalition has a long history of useful intervention in Commission proceedings.

Most recently the Coalition played an active role in Puget Sound Energy’s decoupling dockets UE-121697 and UG-121705. The Coalition has been a constructive intervener in the following related dockets:

PSE’s TransAlta Power Purchase Agreement UE – 121373

Avista Utilities General Rate Case UE – 120436

PSE’s General Rate Case UE-111048, UG-111049

Avista Utilities General Rate Case, Decoupling UE – 090134, UG-090135

PSE General Rate Case UG-060267, UE-060266

The NW Energy Coalition is unique from any other party currently intervened in this docket. Staff mention’s similarities to the Energy Project on low-income issues, and Sierra Club on matters pertaining to clean fuel renewables and energy efficiency. The Coalition’s perspective is unique because we represent the common ground interests of our diverse membership. The Coalition’s membership includes environmental groups (such as the Sierra Club), low-income advocates (such as the Energy Project), clean energy businesses, and utilities. In combining the interests of many different stakeholders on energy issues, the Coalition represents a unique perspective that reflects balance between diverging viewpoints and often leads to constructive compromise solutions.

In 2011 and 2012, the Coalition participated in Puget Sound Energy’s general rate case (UE-111048/UG-111049), along with the Energy Project and Sierra Club. In this proceeding the Coalition played a unique role because we focused on the decoupling aspects in the case. In addition, the Coalition provided the Commission with complementary yet new information on low income and environmental issues that supported the cases put forward by the Energy Project and Sierra Club.

Finally, Staff is concerned that the Coalition’s participation “may not assist the Commission in this proceeding and may merely burden the record. “[[4]](#footnote-4) The Coalition petition’s this Commission for intervention in this proceeding purely on the grounds that we bring unique perspective and expertise described herein that will assist the Commission. We will not burden the record, but add value to substantive issues.

On the grounds discussed herein, the Coalition respectfully requests that you reject Staff’s objections to our Petition to Intervene and approve the Coalition’s Late-filed Petition.

DATED January 27, 2016

 Respectfully submitted,

 */s/ Wendy Gerlitz*

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1. NW Energy Coalition Late-Filed Petition to Intervene paragraph 3. [↑](#footnote-ref-1)
2. See Staff Response at paragraph 6. [↑](#footnote-ref-2)
3. Staff Response paragraph 6. [↑](#footnote-ref-3)
4. Ibid. [↑](#footnote-ref-4)