

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PACIFIC POWER & LIGHT COMPANY,

Respondent.

DOCKET UE-210402

MOTION TO REINSTATE AND
MODIFY PROCEDURAL SCHEDULE

I. INTRODUCTION

1 Pursuant to WAC 480-07-375(1)(b), the regulatory staff (Staff) of the Washington
Utilities and Transportation Commission (Commission) moves to reinstate and modify the
procedural schedule established by Order 03 and amended by the Commission in its notice
issued on September 24, 2021. All parties to the proceeding support the proposed
modifications to the procedural schedule contained within this motion.

2 On June 1, 2021, Pacific Power filed a power cost only rate case (PCORC) in this
docket. This filing was made pursuant to the revised and amended settlement stipulation
approved by the Commission in Docket UE-191024, which stated that “PacifiCorp will file
a Power Cost Only Rate Case (PCORC) in 2021 to update its net power cost (NPC) baseline
to reflect day-ahead dispatch expected to occur beginning January 2021.”¹

3 On June 25, 2021, the Commission entered Order 03, which established a procedural
schedule in this docket and set the matter for hearing beginning December 3, 2021. On
September 24, 2021, the Commission issued a Notice Amending Procedural Schedule. In

¹ *WUTC v. Pacific Power & Light Corp*, Docket UE-191024, Revised and Amended Settlement Stipulation at ¶11 (Nov. 6, 2021).

this notice, the Commission granted a joint motion filed by Staff and PacifiCorp to amend the procedural schedule and rescheduled the hearing to January 12, 2022.

4 On October 8, 2021, Staff filed a letter to the docket informing the Commission that Staff, PacifiCorp, Alliance of Western Energy Consumers (“AWEC”), The Energy Project, and Walmart, Inc. (collectively “Settling Parties”) reached a full multi-party settlement in principal pursuant to WAC 480-07-740(2)(c). On October 11, 2021, the Commission issued a Notice Suspending Procedural Schedule that required the filing of settlement documents be made by October 28, 2021.

5 On October 21, 2021, AWEC notified the parties that it would be withdrawing from the agreement with the Settling Parties and that it now intends to oppose the full multi-party settlement.

6 Given that the multi-party settlement will now be opposed, Staff moves that the Commission reinstate and modify the procedural schedule in this docket to facilitate a litigated proceeding. Specifically, Staff requests that the Commission extend the deadline for the submission of the multi-party settlement and supporting testimony from October 28, 2021, to November 5, 2021, maintain the public comment hearing on November 18, 2021, set the deadline for opposition testimony to the multi-party settlement on November 22, 2021, set a deadline for rebuttal testimony on December 17, 2021, set a deadline for discovery cutoff on January 5, 2022, set the date to file cross-examination exhibits, witness lists, errata sheets, and email cross-examination time estimates to the presiding ALJ on January 7, 2022, maintain the January 14, 2021, hearing, set the deadline for simultaneous post-hearing briefs on February 11, 2022, and set the deadline for simultaneous reply briefs on February 25, 2022.

7 Appendix A to this motion contains Staff’s proposed modified procedural schedule.
8 All parties to the proceeding support the proposed modifications to the procedural
schedule.

II. RELIEF REQUESTED

9 Pursuant to WAC 480-07-375(1)(b), Staff requests that the Commission reinstate and
adopt its proposed modifications to the procedural schedule in this docket.

IV. STATEMENT OF ISSUES

10 Whether the Commission should reinstate and modify the procedural schedule it
established in Order 03 and amended on September 24, 2021.

VI. ARGUMENT

11 The Commission’s procedural rules allow parties to move for “commission action in
the context of an adjudicative proceeding.”² This action can include the modification of “the
procedural schedule in a proceeding.”³

12 The Commission should find good cause to reinstate and modify the procedural
schedule in this docket. Given that the full multi-party settlement in principle will now be
contested, the Commission should adopt the proposed modifications in this motion to
facilitate a litigated proceeding.

VII. CONCLUSION

13 Staff requests that the Commission grant its motion and reinstate and modify the
procedural schedule as described above and attached to this motion as Appendix A.

//

//

² WAC 480-07-375(1).

³ WAC 480-07-375(1)(b).

DATED this 27th day of October 2021.

Respectfully submitted,

/s/ Joe M. Dallas, WSBA No. 54506
Assistant Attorney General
Office of the Attorney General
Utilities and Transportation Division
P.O. Box 40128
Olympia, WA 98504-0128
(360) 995-2819
joe.dallas@utc.wa.gov

Attorney for Commission Staff

APPENDIX A

EVENT	DATE
Tariff Filing	June 1, 2021
Tariffs suspended and discovery commenced	June 16, 2021
Prehearing Conference	June 24, 2021
Workshop (parties only)	July 20, 2021
Settlement Conference (parties only)	September 1, 2021
Supplemental Testimony	September 30, 2021
Multi-party Settlement and Supporting Testimony	November 5, 2021
Notices Issued for Public Comment Hearings	30 days prior to Public Comment Hearings
Public Comment Hearing	November 18, 2021, at 6:00 p.m.
Opposition Testimony to Multi-party Settlement	November 22, 2021
Rebuttal Testimony	December 17, 2021
Discovery Cutoff	January 5, 2022
File Cross Examination Exhibits, Witness Lists, and Errata sheets, and email Cross-Examination Time Estimates to the presiding ALJ	January 7, 2022
Hearing	January 14, 2022, at 9:30 a.m.
Simultaneous Post-hearing Briefs	February 11, 2022
Simultaneous Reply Briefs	February 25, 2022