

April 6, 2011

***VIA ELECTRONIC FILING***

***AND OVERNIGHT DELIVERY***

Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504‑7250

Attention: David W. Danner  
 Executive Secretary

**RE: Affiliated Interest Filing for PacifiCorp**

Dear Mr. Danner:

Pursuant to the provisions of RCW 80.16.020 and WAC 480-100-245, PacifiCorp, d.b.a. Pacific Power & Light Company (PacifiCorp or the Company), submits as Attachment A, one verified copy of the License for Electric Supply Line Across or Along Railway Property (License) between PacifiCorp and BNSF Railway Company (BNSF), Contract No. 12-3002, as notice of an affiliate interest transaction.

PacifiCorp is a wholly-owned, indirect subsidiary of MidAmerican Energy Holdings Company (MEHC). MEHC is a subsidiary of Berkshire Hathaway, Inc (Berkshire Hathaway). BNSF is also a subsidiary of Berkshire Hathaway. 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 Hathaway, Inc.’s ownership interest in MEHC and BNSF creates an affiliated interest.

The License allows the Company to maintain and use facilities for electric service across and along certain BNSF property at or near BNSF’s Yakima train station in Yakima County, Washington. These facilities are currently in place with a different railroad company that no longer owns or operates the section of railroad being crossed by PacifiCorp facilities due to an expired license agreement. PacifiCorp desires for the facilities to remain in place and is working with BNSF as the current owner of the affected railroad segment. The term of the new license will be 25 years. Without the License, the Company’s ability to provide adequate, safe and reliable service to its customers would be diminished.

PacifiCorp will pay a $3,000 fee to BNSF for the License. BNSF offers two types of licenses for use of BNSF railroad property. The first type allows for the crossing of

BNSF railroad tracks. BNSF charges a set fee for this type of license. The second type allows for the use of BNSF property running alongside railroad tracks. BNSF uses a standard formula for calculating the fee for this type of license. Because PacifiCorp’s use of the facilities requires that it cross the tracks, the set fee for the License applies. In addition, the Company will pay a total of $600 as a processing fee for the License application. These are the standard rates and fees BNSF charges for applications of this type.

Obtaining the License is in the public interest because it allows the Company to maintain and use existing facilities necessary to provide electric service and to meet its obligation to provide safe and reliable electric service. Without the License, the Company would be required to redesign or relocate its facilities, at considerable expense, adding to the cost of providing electric service. As the owner of the property, BNSF is the only legal entity that can provide this License to the Company.

Also included with this filing is a notarized verification from Michelle R. Mishoe, Legal Counsel, PacifiCorp, regarding the License.

Please contact Carla Bird at (503) 813-5269 if you have any questions.

Sincerely,

William R. Griffith

Vice President, Regulation

Pacific Power

Enclosures

**WASHINGTON AFFILIATED INTEREST FILING**

**LICENSE FOR ELECTRIC SUPPLY LINE ACROSS OR ALONG RAILWAY PROPERTY**

**WASHINGTON AFFILIATED INTEREST FILING**

**VERIFICATION**

**VERIFICATION**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, am legal counsel PacifiCorp and am authorized to make this verification on its behalf. Based on my personal knowledge about the attached License for Electric Supply Line Across or Along Railway Property, I verify that the License for Electric Supply Line Across or Along Railway Property is a true and accurate copy of the original.

I declare upon the penalty of perjury, that the foregoing is true and correct.

Executed on \_\_\_\_\_\_\_\_\_\_\_ \_\_, 2012 at Portland, Oregon.

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Michelle R. Mishoe

Legal Counsel

Subscribed and sworn to me on this \_\_\_ day of \_\_\_\_\_\_\_, 2012.

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Notary Public for Oregon

My Commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_