

April 23, 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 BNSF and PacifiCorp**

**UE-12\_\_\_\_\_\_**

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), files one verified copy of the Right of Way Easement (Easement) between the Company, and BNSF Railway Company (BNSF), Tracking No. 12-45042, a copy of which is included as Attachment A.

PacifiCorp is a wholly-owned, indirect subsidiary of MidAmerican Energy Holdings Company (MEHC). MEHC is a subsidiary of Berkshire Hathaway, Inc. BNSF is also a subsidiary of Berkshire Hathaway, Inc. 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 Company provides retail electric service to BNSF’s rail yard located in Klamath Falls, Oregon. BNSF desires to upgrade its service, which will require the installation of a 12 kilovolt overhead distribution line over 145 longitudinal feet of BNSF’s property. Without the Easement, the Company’s ability to provide adequate, safe and reliable service to its customers would be diminished. This transaction is related to the distribution of electricity service in Oregon and therefore, does not affect Washington rates. Notwithstanding, the Company is providing this notice, out of an abundance of caution, to ensure consistent treatment of affiliate contracts under the requirements of RCW 80.16.

Typically, BNSF charges from $3000 to $5000 for easement agreements of this nature. However, because the Easement is needed so that PacifiCorp can provide electric service to BNSF, there will be no charge for the Easement.

Obtaining the Easement is in the public interest because it allows the Company to install and maintain facilities necessary to provide electric service and to meet its obligation to provide safe and reliable electric service. Not having the Easement would mean that PacifiCorp would not be able to meet its obligation to provide electric service. As the property owner, BNSF is the only entity that can provide this Easement 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**

**RIGHT OF WAY EASEMENT**

**WASHINGTON AFFILIATED INTEREST FILING**

**VERIFICATION**

**VERIFICATION**

I, Michelle R. Mishoe, am legal counsel PacifiCorp and am authorized to make this verification on its behalf. Based on my personal knowledge about the attached Right of Way Easement, I verify that the Right of Way Easement 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

Pacific Power

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

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Notary Public for Oregon

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