

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	DOCKET UE-090205
TRANSPORTATION COMMISSION,	)	
	)	
Complainant,	)	ORDER 05
	)	
v.	)	
	)	ORDER GRANTING REQUEST
PACIFICORP D/B/A PACIFIC	)	FOR CLARIFICATION
POWER & LIGHT COMPANY,	)	
	)	
Respondent.	)	
	)	
.....	)	

1     **PROCEDURAL HISTORY.** On February 9, 2009, PacifiCorp d/b/a Pacific Power & Light Company (PacifiCorp or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-74. The stated effective date of the tariff revisions is March 11, 2009. The proposed revisions would implement a general rate increase of \$38.5 million, or 15.1 percent.

2     The Commission suspended the request for rate relief and set this matter for hearing. On March 23, 2009, the Commission held a prehearing conference. On March 24, 2009, the Commission entered Order 04, Prehearing Conference Order. On March 25, 2009, the Commission entered Notice of Interested Persons List and Erratum. On March 26, 2009, the Commission Staff (Staff) filed a Request for Clarification of the Prehearing Conference Order.

3     **REQUEST FOR CLARIFICATION.** The Staff requested clarification of rulings in Prehearing Conference Order. Specifically, Staff contended the Order contained two possible ambiguities and one possible inadvertent omission. With respect to the ruling that the conversion factor should constitute six digits, Staff asserted that this language was subject to an interpretation that a total of six digits could be used (*e.g.* 46.0123) or that six digits to the right of the decimal could be used (*e.g.* 46.012345). With respect to the ruling that the rate of return should be rounded to two decimal points, Staff stated that this language could be interpreted to mean that the rate of

return could be expressed as a percentage rounded to two decimal points (*e.g.* .08) or that the rate of return could be stated as a number rounded to two decimal point (*e.g.* 8.22 percent). In addition, Staff stated that the Settlement Conference date of September 10, 2009, appears to have been inadvertently omitted from the procedural schedule.

4 **DISCUSSION AND DECISION.** The request for clarification is granted. The purpose for establishing a standard for expressing a conversion factor and rate of return was to obtain filings using consistent mathematical expressions that will aid in the comparison of those filings. Clearly that purpose is defeated if the Order expresses the method in a manner that is subject to more than one interpretation. While there was discussion during the prehearing conference of this topic, that discussion was inadvertently omitted from the Prehearing Conference Order. Accordingly, Paragraph 11 of Order 04 is revised to clarify that the conversion factor should be stated as a number with six digits to the right of the decimal point and rounded to the last digit (*e.g.* 46.012345). The recommended rate of return should be stated as a percentage rounded to two decimal points (*e.g.* 8.22 percent).

5 In addition, the procedural schedule issued with the Prehearing Conference Order inadvertently omitted the second Settlement Conference date agreed to by all parties. A revised procedural schedule reflecting a second Settlement Conference on September 10, 2009, is set forth in Appendix A to this Order. The Energy Project requested that the Interested Persons list be revised to exclude the name of Charles Eberdt. A revised Interested Persons list is set forth in Appendix 1 attached to this Order.

Dated at Olympia, Washington, and effective March 31, 2009.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

PATRICIA CLARK  
Administrative Law Judge

**APPENDIX A  
PROCEDURAL SCHEDULE  
DOCKET UE-090205**

<u>EVENT</u>	<u>DATE</u>	<u>INTERVAL (Days)</u>
Company Direct Testimony and Exhibits	February 9, 2009	
Supplemental Filing by PacifiCorp	April 2, 2009	52 days
Public Notice Report	April 21, 2009	19 days
Issue Discussion/Settlement Conference (parties only)	July 30, 2009, and continuing thereafter, as necessary, on July 31, 2009	100 days
Public Comment Hearing in Yakima, Washington	TBD	
Staff, Public Counsel and Intervenor Responsive Testimony and Exhibits	August 28, 2009 <sup>1</sup>	29 days
Settlement Conference (parties only)	September 10, 2009	13 days
Company Rebuttal Testimony and Exhibits Staff, Public Counsel and Intervenor Cross-Answering Testimony and Exhibits	September 28, 2009 <sup>2</sup>	18 days
Deadline for Cross-examination Exhibits	October 22, 2009	24 days

<sup>1</sup> After August 28, 2009, responses to data requests are due seven business days after receipt.

<sup>2</sup> After September 28, 2009, responses to data requests are due five business days after receipt.

<u>EVENT</u>	<u>DATE</u>	<u>INTERVAL</u> <u>(Days)</u>
Prehearing Conference	October 23, 2009	1 day
Evidentiary Hearing	October 27, 28, 29, and 30, 2009	4 days
Simultaneous Post-hearing Briefs	November 24, 2009	28 days
Suspension Date	January 11, 2010	48 days

**APPENDIX 1**

**INTERESTED PERSONS  
DOCKET UE-090205**

<b>IP</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
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<b>PacifiCorp</b>	Cathie Allen Manager, Regulation PacifiCorp d/b/a Pacific Power & Light Company 825 NE Multnomah Suite 2000 Portland, Oregon 97232	503-813-5934	503-813-6060	<b>cathie.allen@pacificorp.com</b>
<b>Public Counsel</b>	Lea Daeschel Public Counsel 800 5 <sup>th</sup> Avenue, Suite 2000 Seattle, WA 98104-3188	206-464-6380	206-464-6451	<b>LeaD@atg.wa.gov</b>
<b>Public Counsel</b>	Grace Summers Public Counsel 800 5 <sup>th</sup> Avenue, Suite 2000 Seattle, WA 98104-3188	206-389-3972	206-464-6451	<b>GraceS1@atg.wa.gov</b>
<b>Public Counsel</b>	Carol Williams Public Counsel 800 5 <sup>th</sup> Avenue, Suite 2000 Seattle, WA 98104-3188	206-464-6215	206-464-6451	<b>Carolw@atg.wa.gov</b>
<b>ICNU</b>	Brendan E. Levenick Davison Van Cleve, PC 333 S.W. Taylor, Suite 400 Portland, OR 97204	503-241-7242	503-241-8160	<b>bel@dvclaw.com</b>

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ICNU	Mike Gorman Brubaker & Associates, Inc. 16690 Swingley Ridge Rd., Suite 140 Chesterfield, MO 63017	636-898-6725 Ext. 220	636-898-6726	<b>mgorman@consultbai.com</b>
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