

Docket UE-161204
Yakama Power's Response to Pacific Power Data Request Set 1 (Nos.
May 12, 2017

PACIFIC POWER DATA REQUEST NO. 19 TO YAKAMA POWER:

Describe all efforts YP has made to negotiate the purchase of Pacific Power's facilities.

RESPONSE TO PACIFIC POWER DATA REQUEST NO. 19:

Yakama Power objects to Pacific Power Data Request No. 19 on the basis that the information requested is not relevant to the "primary issue in this proceeding [which] relates to the rates, terms, and conditions of [Pacific Power's] proposed tariff filings,"^{27/} and is not reasonably calculated to lead to the discovery of admissible evidence. Yakama Power further objects to Pacific Power Data Request No. 19 on the basis that the request is overly broad, unreasonably burdensome and vague. Without waiving the foregoing objections, Yakama Power responds as follows:

Pacific Power and Yakama Power agreed to settlement of two condemnations and one sale that have been completed to date – the original condemnation to start up Yakama Power in 2004-05, the condemnation of White Swan area assets in 2013 and the sale of poles and wires to Yakama Power that provided service to the Yakama Nation's fisheries and wildlife building. Both condemnations included prior discussions with Pacific Power staff about a direct sale of such assets in order to avoid the condemnation process.

In addition, Yakama Nation initiated a condemnation action of Wapato area assets in 2015. That condemnation is on hold pending further discussions with Pacific Power about a sale. But that action also included prior efforts to seek a direct sale. Finally, Pacific Power agreed to sell assets in the Signal Peak area, but that sale has gone unresolved to date. See Attachment B for examples (e-mails with Clark Satre in 2009 and 2011 regarding the fishery and Wapato; 2016 letter from Yakama Nation to Pacific Power regarding proposed sale of Signal Peak Road near White Swan). See Yakama Power's response to Data Request No. 22 below.

Date Response Prepared: May 12, 2017
Witness: Ray Wiseman
Preparer: J.D. Williams
Preparer Telephone No.: 971-404-9081

^{27/} Order 04 ¶ 12 (Jan. 4, 2017).

Despite Yakama Power's diligent efforts, certain information protected from disclosure by attorney-client privilege or other applicable privileges or law may have been included in response to these data requests. Accordingly, Yakama Power reserves its right to seek the return of any privileged or protected materials that may have been inadvertently disclosed, and respectfully advise that any inadvertent disclosure should not be considered a waiver of any applicable privileges or rights. Yakama Power respectfully requests that you inform Yakama Power immediately if you become aware of any such materials in these responses.