

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of

PACIFICORP D/B/A PACIFIC POWER
& LIGHT COMPANY'S

Revised Clean Energy Implementation
Plan

DOCKET UE-210829

THE ENERGY PROJECT REQUEST
FOR CASE CERTIFICATION AND
NOTICE OF INTENT TO REQUEST
A FUND GRANT

1 Pursuant to RCW 80.28.430, the Washington Interim Participatory Funding Agreement, and Washington Extended Interim Participatory Funding Agreement (Funding Agreements) approved by the Washington Utilities and Transportation Commission (Commission),¹ The Energy Project (TEP) respectfully submits this Request for Case Certification and Notice of Intent to Request a Fund Grant (Notice and Request).

2 Notice of Intent to Request Fund Grant. Pursuant to Section 6.2 of the Funding Agreements, TEP provides this Notice of Intent to Request a Fund Grant from PacifiCorp's 2022 Customer Representation Sub-Fund and 2023 Customer Representation Sub-Fund. This Notice and Request is filed within the time designated at the Commission's Prehearing Conference in this docket and has been served on PacifiCorp and the parties of record.

3 Eligible Proceeding. PacifiCorp is designated as a "Participating Public Utility" in Article 1(g) of the Funding Agreement. PacifiCorps's Clean Energy Implementation Plan (CEIP) docket constitutes an "Eligible Proceeding" under Article 1(c). This case will be carried out under the auspices of Washington's public service laws and Commission regulations.² PacifiCorps's CEIP will materially affect the public interest.

¹ Docket U-210595, Order 01 (February 24, 2022); Order 02 (February 9, 2023).

² Notice of Prehearing Conference, ¶ 2 (April 27, 2023) (Statutory Authority).

Request for Case Certification. The Energy Project requests case-certification in this matter as a customer representative organization pursuant to section 5.2.1 and 6.2 of the Funding Agreement. The Energy Project meets the criteria for case-certification found in section 5.2.1.³

- a. Non-Profit. TEP is fiscally sponsored by a non-profit organization.
- b. Broad Customer Interests. TEP represents the interests of vulnerable populations, including thousands of low-income customers in the State of Washington. RCW 80.28.430(1) recognizes “organizations representing low-income . . . customers” as a type of organization that represents “broad customer interests in regulatory proceedings.”
- c. Effective Representation. TEP focuses its regulatory engagement on issues that have a material impact on low-income customers and vulnerable populations. TEP works generally with utilities and other stakeholders to develop and expand rate assistance, energy efficiency programs, renewable energy projects, electric vehicle transportation infrastructure, and other matters impacting low-income customers and vulnerable populations in Washington. TEP serves on the PacifiCorp’s low-income and energy efficiency advisory committees. TEP also works with entities delivering low-income services that are funded by the Washington State Department of Commerce, including Community Action Agencies that provide rate assistance and energy efficiency programs for low-income customers. Through intervention and participation in Commission proceedings concerning rates, mergers, property transfers, policy statements, and rulemakings over the past two decades, TEP has effectively represented and directly and materially benefited low-income customers and vulnerable populations, including PacifiCorp’s customers. TEP can continue to effectively represent the interests of low-income customers and vulnerable populations in this proceeding.

³ TEP met the case certification requirements in various proceedings. See, e.g., *Washington Utilities & Transportation Commission v Puget Sound Energy*, Dkts. 220066-67, Order 08 Granting Requests for Case Certification, ¶¶ 20-22 (March 24, 2022).

- d. Adequacy of Representation. The Energy Project is the only party focusing solely on the interests of low-income customers in this proceeding. The activities described above demonstrate that TEP can effectively advance the specific interests of low-income customers and vulnerable populations, as well as the general public interest in fair, just, reasonable, and equitable utility rates and practices.
- e. No Delay. To date, TEP has actively participated in the proceeding by submitting comments and participating in settlement discussions, without delaying or disrupting the proceeding. As demonstrated by the track record described above of participating in general rate cases and other significant proceedings before the Commission, TEP's participation will not unduly delay this proceeding going forward.

5 For the foregoing reasons, TEP respectfully requests that the Commission grant this Request for Case Certification and accept its Notice of Intent to Request a Fund Grant.

DATED: May 17, 2023

By: /s/ Yochanan Zakai
Yochanan Zakai, Oregon State Bar No. 130369*
SHUTE, MIHALY & WEINBERGER LLP
396 Hayes Street
San Francisco, California 94102
(415) 552-7272
yzakai@smwlaw.com

Attorneys for The Energy Project

* Mr. Zakai is not a member of the State Bar of California.