

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

WASHINGTON UTILITIES AND)	DOCKET UE-090205
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	
)	NOTICE OF TELEPHONIC MOTION
v.)	CONFERENCE
)	
PACIFICORP d/b/a PACIFIC POWER)	(Deadline for responses –
& LIGHT COMPANY,)	June 30, 2009)
)	
Respondent.)	(Motion Conference set for July 10,
)	2009, at 10:00 a.m.)
.....)	

1 **BACKGROUND.** This proceeding involves PacifiCorp d/b/a Pacific Power & Light Company’s (PacifiCorp) request for a general rate increase filed on February 9, 2009, with the Washington Utilities and Transportation Commission (Commission). By Order 01 entered in this docket following the February 26, 2009, open meeting, the Commission suspended operation of the tariffs designed to effect a general rate increase for electric service. By Order 04 entered on March 24, 2009, the Commission, among other things, established a procedural schedule including a deadline for the Public Counsel Section of the Office of the Attorney General (Public Counsel) to file a report on the public notice that PacifiCorp must send to its customers.

2 **MOTION FOR ORDER REGARDING CUSTOMER NOTICE.** On June 22, 2009, Public Counsel filed a motion requesting that the Commission require PacifiCorp to issue an individual customer notice in the form attached to the motion but excluding the chart entitled “US Average Residential Monthly Electric Bills for 1,000 kWh.” In the alternative, Public Counsel requested that the Commission require PacifiCorp to replace the chart with the rate comparison that is publicly available on the Commission website and provide explanatory language. Public Counsel requested that the Commission consider this motion during a telephone hearing at 10:00 a.m. on July 9, 2009.

3 **DISCUSSION AND DECISION.** The Commission has reviewed the motion and determined that the other parties to this proceeding must be given the opportunity to respond. This motion requests that the Commission establish requirements regarding the content of the notice PacifiCorp must provide to its customers regarding the pending request for general rate relief. Therefore, this motion is dispositive, rather than procedural in nature. The Commission's rule on dispositive motions, WAC 480-07-380, does not establish a specific deadline for responses to motions of this nature. Accordingly, the Commission must establish a reasonable deadline for parties to file responses. Our rules establish response deadlines ranging from five days for parties to file responses to procedural motions¹ to twenty days for parties to file responses to motions for summary disposition.² Given the nature of the relief requested and the request to conduct a proceeding on July 9, 2009, the Commission concludes that it would be reasonable to afford the parties seven days, or until **June 30, 2009, to file responses to the motion.** Public Counsel's request for a telephonic proceeding is reasonable and should be granted. A telephonic proceeding will allow parties to avoid the time and expense necessary to travel to a conference in Olympia. The Commission has reviewed its calendar and does not have time available at the date and time requested. However, there is availability on the Commission's calendar the following day.

4 **THE COMMISSION GIVES NOTICE That it will hold a motion conference in this matter at 10:00 a.m., on Friday, July 10, 2009. Parties may telephonically participate in this conference via the Commission's conference bridge at (360) 664-3846. If you are participating via the conference bridge, please dial into the conference bridge approximately five minutes before the conference is scheduled to convene. If you elect to participate in this conference in person, the conference will convene in the Commission's Hearing Room, Room 206, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

¹WAC 480-07-375(4).

² WAC 480-07-380(2)(c).

- 5 The purpose of the motion conference is to hear argument and respond to inquiry regarding the content of the customer notice PacifiCorp must send to individual customers who will be affected by the outcome of this proceeding.

DATED at Olympia, Washington, and effective June 24, 2009.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

PATRICIA CLARK
Administrative Law Judge