

Exh. MAB-5

Dockets UE-230172 and UE-210852

Witness: Molly A. Brewer

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

**WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,**

Complainant,

v.

**PACIFICORP d/b/a PACIFIC POWER
AND LIGHT COMPANY,**

Respondent.

**DOCKETS UE-230172 and
UE-210852 (Consolidated)**

In the Matter of

**ALLIANCE OF WESTERN ENERGY
CONSUMERS'**

**Petition for Order Approving Deferral of
Increased Fly Ash Revenues**

EXHIBIT TO TESTIMONY OF

MOLLY A. BREWER

**STAFF OF
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

PacifiCorp's Response to UTC Staff Data Request No. 26

September 14, 2023

WUTC Data Request 26

Equity

- (1) Please provide all documents that show how the Company applied an equity lens, including but not limited to the tenants of energy justice and principles mentioned in Data Request 24, to its decision to build new corporate facilities in the North Temple Property.
- (2) Please provide documents that show what public participation and engagement activities PacifiCorp conducted in reference to company witness Branch's testimony on page 21 lines 17-19.
- (3) Please provide documents that show how the redevelopment of the North Temple Property provides a direct benefit to the surrounding community, including any attempt to quantify and distribute benefits equitably. In addition, provide documents that show how the Company considered potential burdens or unintended consequences to the surrounding community, and any steps it will take to mitigate those burdens.
- (4) The North Temple Property is located in Utah. Is it PacifiCorp's position that the equity analysis that the Commission outlined in the Cascade Order applies only to the impacts on Washington service territory customers and residents, or is PacifiCorp's position that the equity analysis is intended to consider any person that is impacted by the investments, decisions, and actions taken by the utility that are related to serving Washington state customers? If the former, please explain why the Commission should consider these actions as equity related under RCW 80.28.425(1). If the latter, please indicate whether PacifiCorp has considered equity in all investments, decisions, and actions related to serving Washington state customers that are not located within the WA service territory (or have no physical location) and indicate where in the record Staff can find evidence of the same.

Response to WUTC Data Request 26

PacifiCorp assumes that the references to "an equity lens" and "tenants of energy justice" are references to Order 09 issued on August 23, 2022, in Docket UG-210755 (Order 09). PacifiCorp notes that it filed its multi-year rate plan within seven months after this issuance of this guidance, specifically on March 17, 2023. PacifiCorp objects to the extent that this data request is based on the assumption that Order 09 imposes an evidentiary standard mandating the creation, retention, and/or production of certain documentation. Based on the foregoing assumption, and without waiving the foregoing objection, PacifiCorp responds and follows:

- (1) The decision to build new corporate facilities at the North Temple property was made in 2019 prior to the guidance related to the equity lens and tenants of energy justice issued on August 23, 2022. Factors taken into consideration are described in the direct testimony of Company witness Jayson Branch, Exhibit JB-1CT.
- (2) Please refer to Attachment WUTC 26. Entitlements for phase 1 development were received with zero negative comments.
- (3) The Company has engaged Salt Lake City and local leadership, members of the community and other stakeholders for feedback which will be considered in developing a master plan design for the site.

The Company is in negotiations to potentially secure a master developer for the site that will continue to work with all stakeholders and Salt Lake City to obtain necessary permits and zoning. Inasmuch as development of the master plan has not been completed, it is too early and speculative to opine on benefits and burdens.

- (4) The Company objects to this request as it calls for a legal conclusion and is not reasonably calculated to lead to the discovery of admissible information. Without waiving the foregoing PacifiCorp responds as follows:

The Washington Utilities and Transportation Commission (WUTC) has emphasized in Order 09, issued on August 23, 2022, the significance of regulated companies assessing whether proposed changes to their rates, practices, or operations address or perpetuate inequities. It is important to note that the Company filed its multi-year rate plan (MYRP) less than a year subsequent to the issuance of Order 09, specifically on March 17, 2023.

Consistent with the guidance provided in the Order 09, PacifiCorp has consistently maintained a non-discriminatory approach across all its service jurisdictions and strives to deliver reliable and affordable service in a least-cost/least risk manner to its customers. The Company is mindful of the impact of each operational decision, including the one concerning the North Temple property, on the surrounding community where it operates. The equity considerations highlighted in the direct testimony of Company witness Christina M. Medina, Exhibit CMM-1T, underscore the Company's commitment and proactive approach to serving its customers in an equitable and non-discriminatory manner, in accordance with applicable Washington law.

PREPARER: Jayson Branch

SPONSOR: Jayson Branch