

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

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|-----------------------------------|---|--------------------------|
| In the Matter of the Request of |) | DOCKET NO. UE-031038 |
| |) | |
| PACIFICORP dba PACIFIC |) | ORDER NO. 01 |
| POWER & LIGHT COMPANY, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| For Less Than Statutory Notice in |) | ORDER GRANTING LESS THAN |
| Connection with Tariff Revisions. |) | STATUTORY NOTICE |
| |) | |

BACKGROUND

- 1 On June 26, 2003, PacifiCorp dba Pacific Power & Light Company, (PacifiCorp or the Company) filed with the Commission revisions to its currently effective Tariff WN U-74, designated as Third Revision of Sheet No. 114.1. The purpose of the filing is to remove the sunset date in the tariff of June 30, 2003.

- 2 RCW 80.28.060 and WAC 480-80-121 require a thirty-day notice prior to the effective date of the tariff. The tariff sheets bear an inserted effective date of July 27, 2003. This date recognizes statutory notice as required. The Company requests, however, less than statutory notice as permitted in WAC 480-80-122, and that the revisions become effective July 1, 2003. PacifiCorp stated the reason for less than statutory notice is to avoid the termination of the low-income weatherization program on June 30, 2003.

- 3 Since the proposed tariff revisions appear to be fair, just, and reasonable, and less than statutory notice is consistent with the public interest, it is appropriate that the Commission grant PacifiCorp's request with an effective date of July 1, 2003.

FINDINGS AND CONCLUSIONS

- 4 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, and transfers of public service companies, including electric companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.28 RCW.*
- 5 (2) PacifiCorp is an electric company and is a public service company subject to the jurisdiction of the Commission.
- 6 (3) PacifiCorp is subject to the provisions of RCW 80.28.060 and WAC 480-80-121 requiring electric companies to file changes in any rate or charge with thirty days' notice. For good cause shown, however, the Commission may allow changes without requiring thirty days' notice by order specifying the changes to be made and the time when it shall take effect. *WAC 480-80-122.*
- 7 (4) WAC 480-100-008 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-100 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 8 (6) This matter was brought before the Commission at its regularly scheduled meeting on June 27, 2003.
- 9 (7) After examination of the proposed tariff revisions filed by PacifiCorp on June 26, 2003, and giving consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revisions should become effective July 1, 2003.

ORDER

THE COMMISSION ORDERS:

- 10 (1) The request sought by PacifiCorp dba Pacific Power & Light Company for less than statutory notice is granted.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 27th day of June, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary