

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PACIFICORP d/b/a PACIFIC POWER &
LIGHT COMPANY,

Respondents.

DOCKET UE-230172 and UE-210852
(Consolidated)

ORDER 12/10

REQUIRING COMPANY TO FILE
REVISED TARIFF REFLECTING
REFUND AND REQUIRING
COMPLIANCE WITH WAC 480-07-
175(1)

BACKGROUND

- 1 On March 19, 2024, the Washington Utilities and Transportation Commission (Commission) entered Order 08/06 in Dockets UE-230172 and UE-210852 (Consolidated), the 2023 general rate case for PacifiCorp d/b/a Pacific Power & Light Company (PacifiCorp or Company). Order 08/06 approved a settlement stipulation and required PacifiCorp to file an annual Multi-year Rate Plan Report (Report).
- 2 The stipulation required PacifiCorp to file its 2024 Report by July 15, 2025, for the investment period of January 1, 2024, through December 31, 2024. The review period of this Report was to end on February 15, 2026, with a true-up and any refund to occur after Commission decision. The Commission required that the Company include in these Reports information about all plant placed into service subject to refund for a given rate year and include information on efforts related to the federal government’s Inflation Reduction Act/Infrastructure Investment and Jobs Act (IRA/IIJA) grant opportunities.
- 3 On July 15, 2025, PacifiCorp filed its 2024 Report (Report). Commission staff (Staff) subsequently reviewed the Report, met with the Company to conduct informal discovery, reached out to other intervenors in this docket, and issued and reviewed responses to formal data requests.
- 4 On January 29, 2026, the Company filed its Revised Attachment C to its 2024 Report in response to Staff’s request. The Report distinguishes between “portfolio” capital expenditures and “specific significant project” expenditures in a fashion consistent with

both Order 08/06 and with prior review of annual provisional capital. Specifically, Order 08/06 states, “[t]he Settling Parties agree that the annual provisional pro-forma capital reviews will be performed at the portfolio level except for Gateway South, Gateway West, and new wind resources”¹

5 On review of the Report, Staff found that Washington-allocated provisional capital investment for 2024 included in rates is approximately \$106.4 million gross plant, while actual gross plant placed in-service is approximately \$131.9 million, indicating that the Company has more plant investment in-service than it is recovering from its customers.² With respect to the review of individual projects, Staff found that the provisional capital investment for 2024 included in rates exceeds the actual gross plant placed in-service for two specific significant projects, Rock Creek I and Gateway South – Aeolus-Mona by approximately \$12.5 million, with a resulting revenue requirement reduction of approximately \$1.3 million.³ Based on this determination, Staff recommends that the Commission direct the Company to file a revised tariff reflecting a refund of \$12.5 million.⁴ Staff’s calculation indicates that a typical residential customer using 1,200 kWh per month would see a monthly bill decrease of \$0.43, or 0.3 percent.⁵

6 In addition, Staff has raised concern that the Company has not provided all necessary documentation in relation to IRA/IIJA benefits so Staff cannot determine if a further refund is due to customers. Specifically, Staff states that it cannot determine whether certain federal IRA/IIJA reimbursement payments provided to the Company may be applicable to Washington-allocated capital expenditures from 2024.⁶ Staff maintains that the Company has declined to respond to discovery based on the argument that the records relating to federal IRA/IIJA reimbursement payments received by the Company in 2025 are outside the scope of the review period. Staff asserts that not considering these reimbursement payments for 2024 capital expenditures could lead to customer intergenerational inequity and a mismatch of benefits relative to the timing that the costs were incurred.

¹ Order 08/06, at 72 ¶ 244.

² Staff Memo, at p. 2, *citing* Report, Table 1, page 3.

³ Staff Memo, at p. 2, *citing* Report, Table 2, page 4.

⁴ Staff Memo, at p. 3.

⁵ Staff Memo, at p. 2.

⁶ Staff Memo, at p. 3.

7 Staff has recommended that the Commission order the following:

- (1) Requiring the Company to modify WN U-76, Schedule 94, Capital Review Adjustment, to reflect a reduction in provisional rate base additions of approximately \$12.5 million for the period of January 1, 2024, to December 31, 2024;
- (2) Requiring the Company to file tariff revisions to provide customers with the \$1.3 million refund associated with discrete projects to be effective by April 1, 2026;
- (3) Requiring the Company to provide Commission staff with all requested documentation concerning reimbursement funds received related to Inflation Reduction Act/Infrastructure Investment and Jobs Act (IRA/IIJA) within 30 days.
- (4) Clarifying that the annual review will not be finalized until Staff is able to verify the outstanding issues concerning federal reimbursement funds, at which time, any additional overcollection will be refunded.
- (5) Outlining that once Staff has completed its review of requested documentation it will either file a letter of compliance if no additional refund is necessary or set the matter for a future open meeting.

DISCUSSION AND DECISION

8 The Commission agrees with Staff's analysis regarding the portfolio and project specific reviews. Based upon Staff's analysis of the Company's capital investments to determine rate recovery, we agree that the portfolio level analysis demonstrates that no refund is warranted. However, Staff's analysis of the project specific investments supports a determination that the Company has over-collected approximately \$12.5 million with respect to those projects identified by Staff. Consequently, the Commission requires PacifiCorp to file tariff revisions reflecting a refund to customers in the amount of approximately \$12.5 million, consistent with Staff's analysis.

9 The Commission further agrees with Staff that PacifiCorp should be required to provide additional information to Staff regarding its IRA/IIJA reimbursements. Pursuant to Washington Administrative Code (WAC) 480-07-175(1), "[e]very public service

company must make its accounts, books, papers, and documents available for commission inspection at any and all times.” The Company is required pursuant to WAC 480-07-175(1) to provide all accounts, books, papers, and documents, including those related to the IRA/IIJA reimbursements for Staff to review whether certain federal IRA/IIJA reimbursement payments received by the Company in 2025 may be applicable to Washington-allocated capital expenditures in 2024.

10 At the open meeting, the Commission revised Staff’s recommended conditions based upon discussion by Staff, the Company, and Public Counsel as memorialized in paragraph 16 of this order.

FINDINGS AND CONCLUSIONS

- 11 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including electric companies.
- 12 (2) PacifiCorp is a “public service company” and an “electrical company” as those terms are defined in Revised Code of Washington (RCW) 80.04.010 and used in Title 80 RCW. PacifiCorp provides electric utility service to customers in Washington.
- 13 (3) This matter came before the Commission at the regularly scheduled open meeting on March 12, 2026.
- 14 (4) PacifiCorp’s Portfolio-Based Capital Additions has more plant investment in-service than it is recovering from its customers so a refund to customers is not warranted with respect to the portfolio review.
- 15 (5) Review of the specific projects authorized by Order 08/06 indicates that PacifiCorp has underspent approximately \$12.5 million relative to the costs that were included in rates associated with those projects.
- 1 (6) The Commission should issue an Order in Docket UE-230172, granting PacifiCorp d/b/a Pacific Power & Light Company’s filing on July 15, 2025, as revised on January 29, 2026, reflecting its Schedule 94, Capital Review Adjustment, subject to the following conditions:

- (1) Requiring the Company to modify its Schedule 94, Capital Review Adjustment, to reflect a reduction in provisional rate base additions of approximately \$12.5 million for the period of January 1, 2024, to December 31, 2024;
- (2) Requiring the Company to file tariff revisions to provide customers the \$1.3 million refund associated with discrete projects to be effective by April 1, 2026;
- (3) Requiring the Company to provide Commission Staff with all requested documentation concerning reimbursement funds received related to Inflation Reduction Act/Infrastructure Investment and Jobs Act (IRA/IIJA), and the specific projects to which those funds apply, within 30 days;
- (4) Clarifying that the annual review will not be finalized until Commission staff is able to verify the outstanding issues concerning federal reimbursement funds, at which time, any additional overcollection will be refunded;
- (5) Outlining that once Staff has completed its review of requested documentation, Staff will either file a letter of compliance if no additional refund is necessary or set the matter for a future open meeting.

ORDER

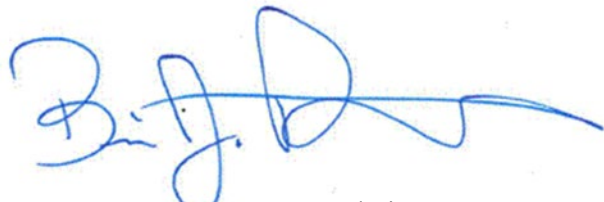
THE COMMISSION ORDERS THAT:

- 16 (1) PacifiCorp d/b/a Pacific Power & Light Company shall modify its Schedule 94, Capital Review Adjustment, to reflect a reduction in provisional rate base additions of approximately \$12.5 million for the period of January 1, 2024, to December 31, 2024;
- 17 (2) PacifiCorp d/b/a Pacific Power & Light Company shall file tariff revisions to provide customers the \$1.3 million refund associated with discrete projects to be effective by April 1, 2026;

- 18 (3) PacifiCorp d/b/a Pacific Power & Light Company shall provide Commission staff with all requested documentation concerning reimbursement funds received related to Inflation Reduction Act/Infrastructure Investment and Jobs Act (IRA/IIJA), and the specific projects to which those funds apply, within 30 days;
- 19 (4) The annual review will not be finalized until Commission Staff is able to verify the outstanding issues concerning federal reimbursement funds, at which time, any additional overcollection will be refunded;
- 20 (5) Once Staff has completed its review of requested documentation, Staff will either file a letter of compliance if no additional refund is necessary or set the matter for a future open meeting.

DATED at Lacey, Washington, and effective March 13, 2026.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



BRIAN J. RYBARIK, Chair



ANN E. RENDAHL, Commissioner



MILTON H. DOUMIT, Commissioner