

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

Complaint,

v.

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

Respondent.

DOCKET UE-210402

OFFER OF PUBLIC COMMENT
EXHIBIT
BENCH REQUEST NO. 2

1. The Washington Attorney General’s Office, Public Counsel Unit (“Public Counsel”) hereby offers this Public Comment Exhibit Bench Request No. 2 (BR-2) for admission into the record of the proceeding.
2. Public Comment Exhibit No. BR-2. The exhibit consists of e-mails submitted by the public to provide comment on PacifiCorp’s power cost only rate case (PCORC) in Docket UE-210402. Due to interrelated subject matter in the PCORC and PacifiCorp’s separate limited issue rate filing (LIRF) in consolidated Dockets UE-210532 and UE-210328, the Washington Utilities and Transportation Commission (WUTC or “Commission”) issued a Notice of Virtual Public Comment Hearing (“Notice”) on October 6, 2021, in which the Commission combined the public comment hearing for the LIRF with the public comment hearing for the PCORC proceeding.¹ While the Commission combined the LIRF and PCORC proceedings for purposes

¹ Notice of Virtual Pub. Comment Hearing, Dockets UE-210532 & UE-210328 (*Consol.*), and Docket UE-210402 (filed Oct. 6, 2021).

of the public comment hearing, the LIRF and PCORC dockets remain separate and are not consolidated. Accordingly, because the two PacifiCorp proceedings have different hearing schedules, the record remained open for public comment in each proceeding until the conclusion of the respective hearings for each of the two proceedings. For the LIRF, the record remained open for public comment until the conclusion of the settlement hearing in that docket on December 9, 2021. The record remained open for members of the public to submit comments in the PCORC, Docket UE-210402, until the conclusion of the January 14, 2022, evidentiary hearing on the settlement that was filed on November 5, 2021.

3. The Commission and Public Counsel received and compiled comments from customers who submitted comments in response to the October 6, 2021, Notice. Customers provided comments via e-mail and through the Commission's online comment web portal. The Commission's Consumer Protection and Communications Staff documented these comments in a database matrix. The output from this database is included as Attachment 1 to this exhibit,² and this file provides all comments submitted to the Commission in response to the Notice through the date of the hearing for the PCORC that was held on January 14, 2022.
4. The comments submitted through the Commission web portal respond to the October 6, 2021, Notice without referencing any docket number or reference all the docket numbers for both the LIRF and the PCORC. In addition, a majority of the comments submitted discuss a rate increase. The commenters discussing a rate increase might be discussing the proposed rate increase in the PCORC proceeding. The Settlement Agreement in the LIRF did not involve a rate

² See Attachment 1 (UTC Public Comment Matrix).

increase. Due to the lack of specificity in the comments regarding which one of the two PacifiCorp proceedings the comments reference, Public Counsel submits all of the comments in response to the October 6, 2021, Notice for both proceedings that were received through January 14, 2022. Public Counsel previously filed these exact same comments in the LIRF proceeding, Docket UE-210532 and UE-210328 (*consolidated*).³ No additional comments were received after the LIRF settlement hearing on December 9, 2021.

5. The Commission’s public comment matrix (Attachment 1) includes two comments made by the same customer.⁴ Because of this, we removed the duplicate submission from the total number of comments tallied below, however we did not revise Attachment 1 to reflect this change. For completeness, we include the matrix in its original form as when we received it from the Commission in order to reflect both comments made by the customer, which differ in wording slightly. In addition, Public Counsel received a total of two comments via e-mail, which are included as Attachment 2 to this exhibit.⁵ We also did not receive any additional comments since the conclusion of the LIRF settlement hearing on December 9, 2021.

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³ Exh. BR-2r, Attachs. 1 and 2, *Wash. Utils. & Transp. Comm’n v. PacifiCorp*, Dockets UE-210532 & UE-210328 (*Consol.*) (revised Dec. 28, 2022; originally filed Dec. 17, 2021).

⁴ Public Counsel identified two comments, which were both submitted by customer Phil Franzmann. *See* Attach. 1 at 3.

⁵ *See* Attach. 2. Attachment 2 consists of customer e-mails received by Public Counsel. Please note that customers made these comments in relation to a combined customer notice issued in both Dockets UE-210532/UE-210328 (*consolidated*) and Docket UE-210402. For completeness, these comments are re-filed in the public comment exhibit for this proceeding, Docket UE-210402.

6. The material submitted through January 14, 2022, has been counted as follows:

a. Comments received by WUTC

Opposing a rate increase⁶ 9

Supporting a rate increase 0

Undecided comments 1

b. Comments received by Public Counsel

Opposing a rate increase 2

Supporting a rate increase 0

Undecided Comments 0

7. Public Counsel submits a total of 12 public comments in this exhibit. Of these, 11 oppose a rate increase⁷ and one (1) is undecided.

DATED this 20th day of January 2022.

ROBERT W. FERGUSON
Attorney General

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⁶ See Attachs. 1 & 2. Although these comments discuss a rate increase, neither PacifiCorp's initial request in Dockets UE-210532/UE-210328 nor the proposed settlement agreement filed on November 5, 2021, in these dockets propose a rate increase. Both the initial request by the Company and the settlement agreement in these dockets propose a rate decrease. The settlement in Docket UE-210402 does involve a rate increase.

⁷ See *id.*