# [Service Date February 28, 2008] BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of	) DOCKET UE-072394
PACIFICORP, d/b/a PACIFIC	)
POWER & LIGHT COMPANY,	ORDER 01
D. C.C.	)
Petitioner,	)
	) ORDER GRANTING
Seeking Exemption from the	) EXEMPTION FROM RULE;
Provisions of WAC 480-100-252	) GRANTING COMPANY
Requiring Electric Companies to File	) ADDITIONAL TIME TO FILE
the State Supplement to the 2008	) STATE SUPPLEMENT TO THE
Annual Report FERC Form No. 1 by	) 2008 ANNUAL REPORT FERC
May 1, 2008	) FORM NO. 1

## **BACKGROUND**

1 On December 12, 2007, PacifiCorp, d/b/a Pacific Power & Light Company (PacifiCorp or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an extension of time to file the state supplement to the 2008 Annual Report FERC Form No. 1. WAC 480-100-252 requires the state supplement and FERC Form No. 1 to be filed by May 1 of each year. PacifiCorp requested an extension to May 31, 2008. The Company stated that it needs the thirty day extension because the state supplement is based on information contained in the FERC Form No. 1. The FERC Form No. 1 has a filing deadline of April 18, each year, is subject to an independent audit review, and therefore is subject to change until just prior to the April 18 FERC deadline. The nine working days between the FERC filing deadline and the Commission filing deadline do not allow sufficient time to prepare the state supplement if there are last-minute changes to the FERC Form No. 1 data as a result of the audit review. In addition, the Company must prepare similar reports for five other states, which adds significantly to the burden of meeting the May 1 deadline. The Company would prefer to be granted a permanent extension to May 31 each year. The Commission Staff recommends that the company is granted this permanent extension for the filing of the state supplement to the Annual Report FERC Form No. 1 to be filed by May 31 of each year.

After reviewing the Company's petition for exemption, Commission Staff recommended granting the request, on condition that the Company file the required state supplement to its annual report by May 31 each year.

### FINDINGS AND CONCLUSIONS

- The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including electric companies. *RCW* 80.01.040, *RCW* 80.04, *RCW* 80.08, *RCW* 80.12, *RCW* 80.16 and *RCW* 80.28.
- 4 (2) The Company is an electric company and a public service company subject to Commission jurisdiction.
- The Company is subject to RCW 80.04.080 and WAC 480-100-252, which require electric companies to file their state supplements to their annual reports by May 1 of each year.
- 6 (4) Under WAC 480-100-008, the Commission may grant an exemption from the provisions of any rule in WAC 480-100, if consistent with the public interest, the purposes underlying regulation and applicable statutes. *See also WAC 480-07-110*.
- 7 (5) This matter came before the Commission at its regularly scheduled meeting on February 28, 2008.
- 8 (6) After reviewing the Company's petition filed in Docket UE-072394 on December 12, 2007, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

### ORDER

### THE COMMISSION ORDERS:

- 9 (1) PacifiCorp, d/b/a Pacific Power & Light Company's petition for an extension of time until May 31 each year to file the state supplement to its 2008 annual report is granted.
- 10 (2) Failure by PacifiCorp, d/b/a Pacific Power & Light Company to file the state supplement to its 2008 annual report by May 31, 2008, may result in the Commission invoking RCW 80.04.405, which allows the Commission to assess penalties for violations of statute, rule and Commission orders.
- 11 (3) The Commission retains jurisdiction over the subject matter and PacifiCorp, d/b/a Pacific Power& Light Company to effectuate the provisions of this Order.

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

DATED at Olympia, Washington, and effective February 28, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN Executive Secretary