

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

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

Respondent.

DOCKET UE-210402

ORDER 07

GRANTING CONTINUANCE

- 1 On March 29, 2022, the Washington Utilities and Transportation Commission (Commission) issued Order 06, Final Order Approving and Adopting Settlement Agreement (Order 06). The Commission approved a settlement agreement (Settlement) subject to conditions, which resolved the disputed issues in a power cost only rate case (PCORC) filed by PacifiCorp d/b/a Pacific Power & Light Company (PacifiCorp or Company). The Commission provided PacifiCorp, Commission staff (Staff), The Energy Project, and Walmart, Inc., (Settling Parties) three business days to accept or reject the conditions imposed by the Commission.
- 2 On March 31, 2022, PacifiCorp filed a Motion for Clarification of Order 06 and to Extend the Timeline to Accept or Reject the Conditions in the Order (Motion). PacifiCorp requests clarification of the conditions placed on the Settlement by the Commission. These conditions pertain to the prudence of the Company's net power costs (NPC), demonstrated in a subsequent Power Cost Adjustment Mechanism (PCAM) filing, and the benefits of the Nodal Pricing Model (NPM).
- 3 In its Motion, PacifiCorp also requests to extend the deadline to accept or reject the conditions imposed by the Commission to two business days after the Commission issues an order clarifying Order 06.
- 4 PacifiCorp notes that it has conferred with the Settling Parties and that its Motion is supported by Staff and Walmart, Inc. The Energy Project supports clarifying Order 06 and does not oppose the Motion.

DISCUSSION

- 5 We grant PacifiCorp’s request for a continuance of the deadline to accept or reject the conditions imposed by the Commission.
- 6 Pursuant to WAC 480-07-385(2), we find that PacifiCorp has established good cause for the continuance requested in its Motion. PacifiCorp requests that it be allowed two business days after the issuance of the Commission’s order clarifying Order 06 for the Company to accept or reject the conditions imposed by the Commission. This is a reasonable request under the circumstances and should be granted. Although this Motion is presented as pertaining to PacifiCorp specifically, we grant the same relief to the other Settling Parties, who do not oppose the Motion.
- 7 We observe that PacifiCorp was not able to file its Motion five business days before the deadline at issue, as required by WAC 480-07-385(3). Pursuant to WAC 480-07-110, we find it appropriate to grant PacifiCorp an exemption from this rule because it is consistent with the public interest, the purposes underlying regulation, and applicable statutes. If this exemption was not granted, PacifiCorp could not seek an extension of this deadline.
- 8 The Commission will address PacifiCorp’s request for clarification of Order 06 and the remaining issues raised by PacifiCorp’s Motion by way of a separate order. The Settling Parties’ deadline for accepting or rejecting the conditions imposed on the Settlement is therefore tolled until the Commission issues an order addressing PacifiCorp’s request for clarification.

Dated at Lacey, Washington, and effective April 1, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Michael S. Howard
MICHAEL HOWARD
Administrative Law Judge

NOTICE TO PARTIES: This is an Interlocutory Order of the Commission. Administrative review may be available through a petition for review, filed within 10 days of the service of this Order pursuant to WAC 480-07-810.