

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

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

Respondent.

DOCKET UE-061546

In the Matter of the Petition of

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

For an Accounting Order Approving  
Deferral Of Certain Costs Related to the  
MidAmerican Energy Holdings Company  
Transition

DOCKET UE-060817  
(Consolidated)

**PACIFICORP'S MOTION FOR  
CLARIFICATION OF ORDER 08**

**I. RELIEF REQUESTED**

1 In accordance with WAC 480-07-835(1), PacifiCorp d/b/a Pacific Power and Light Company ("PacifiCorp" or "the Company") requests clarification of Order 08 in this proceeding with respect to the Commission's ruling on the Low-Income Bill Assistance, or LIBA, program. An issue in the proceeding concerned the collection rate which funds the LIBA program. The Company had proposed to increase the collection rate by a percentage amount equal to the total percentage of all residential price increases from general rate cases, including this case, since the program was implemented. This would have produced an increase in the monthly surcharge for

residential customers to 29 cents.<sup>1</sup> The Energy Project recommended funding at a higher level, specifically in the range of that provided by Avista (40 cents per month for residential customers) and Puget Sound Energy ("PSE") (64 cents per month for residential customers).<sup>2</sup>

2 Paragraphs 201 and 224 of Order 08 ("the Order") adopt an increase in the level of the LIBA program "to produce a 40 cent per month surcharge in Schedule 91."<sup>3</sup> This suggests that the Order adopts the level of funding corresponding to that provided by Avista. The 40 cent per month figure, however, refers only to the level of surcharge for the residential class; the level of the surcharge for the other classes corresponding to the "Avista" level of funding ranges from \$0.05 to \$132.50.<sup>4</sup> Exhibit No. 47 shows the proposed surcharges for the various classes, assuming retention of the existing relationship of the present surcharge amounts across rate schedules.<sup>5</sup> Adoption of a 40 cent per month surcharge for all classes, which would produce significant *reductions* in funding levels for most of the customer classes, appears to be a patent error that requires correcting. The apparent intent of the Order is to adopt *increased* funding for LIBA to correspond with that currently in place for Avista, which is 40 cents per month for residential customers.

3 WAC 480-07-835(1) allows for clarification "to suggest technical changes that may be required to correct the application of principle to data, or to correct patent error without the need for parties to request reconsideration and without delaying post-order compliance." Remedying the Order's treatment of LIBA program funding appears to fall within the scope of the rule. PacifiCorp therefore requests that paragraphs 201 and 224 the Order be clarified to state that the

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<sup>1</sup> Exhibit No. 31 at 19:23-20:9 (Griffith Direct); Exhibit No. 47, column 2.

<sup>2</sup> Order at ¶ 196.

<sup>3</sup> Order at ¶ 201. Paragraph 224 of the Order (Conclusion of Law (7)) provides that "PacifiCorp's compliance filing should include tariff sheets that increase the Schedule 91 surcharge to \$0.40 per customer, per month to increase funding of the Company's low income billing assistance program."

<sup>4</sup> Exhibit No. 47, column 3.

<sup>5</sup> Exhibit No. 45 at 2:19-21 (Griffith Rebuttal).

referenced surcharge of 40 cents per month applies only to residential customers. For other customer classes, the surcharges are those shown in Exhibit No. 47, column 3.<sup>6</sup>

Respectfully submitted this 25<sup>th</sup> day of June, 2007.

**PERKINS COIE LLP**

By 

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<sup>6</sup> As noted in the Order, "[i]ncreasing the LIBA program level of funding in this fashion should allow more customers who otherwise would be unable to pay their bills to remain on the system." Order at ¶ 201. Page 2 of the Company's Schedule 17, Low Income Bill Assistance Program – Residential Service, currently provides that "[a] maximum of 2,618 customers may participate annually." The Company's compliance filing in this proceeding will include a revision to page 2 of this Schedule to reflect an increase in the number of participating customers corresponding to the higher level of funding adopted in the Order.

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing PacifiCorp's Motion for Clarification of Order 08 upon all parties of record in this proceeding by electronic mail and by mailing a copy thereof in a sealed, first-class postage prepaid envelope to each individual's last-known address, as listed below:

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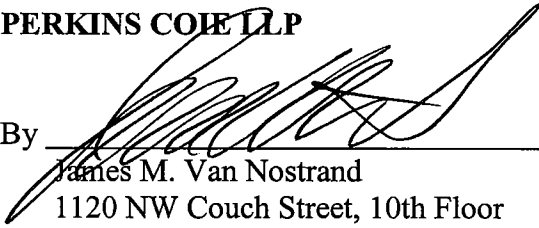
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DATED: June 25, 2007.

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