**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

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| In the Matter ofPACIFIC POWER & LIGHT COMPANY, a division of PacifiCorpReport Identifying Its 2014-2023 Ten-Year Achievable Electric Conservation Potential and Its 2014-2015 Electric Biennial Conservation Target Under RCW 19-285-040 and WAC 480-109-010 | **DOCKET UE-132047****PETITION TO MODIFY ORDER AND ASSOCIATED CONDITIONS TO COMPLY WITH WAC 480-109** |

1. INTRODUCTION
2. In accordance with WAC 480-07-370, WAC 480-07-875, and General Order
R-578 in Docket UE-131723, Pacific Power & Light Company, a division of PacifiCorp (Pacific Power or Company), petitions the Commission to modify certain provisions of Order 01 and Attachment A to Order 01 (hereinafter referred to as Order 01 and Attachment A, respectively) in Docket UE-132047. General Order R-578 directed utilities to, within 30 days of the effective date of the rules, review Commission orders impacted by the newly adopted rules and, in the event of conflicts, petition the Commission for modification of the previous orders. The rules adopted by General Order R-578 were effective April 12, 2015; PacifiCorp respectfully requests the Commission consider this late petition to modify Order 01.
3. BACKGROUND
4. Pacific Power is an electric utility and public service company doing business in the state of Washington under RCW 80.04.010, and its public utility operations, retail rates, service, and accounting practices are subject to the Commission’s jurisdiction. PacifiCorp also provides retail electricity service under the name Pacific Power in Oregon and California, and under the name Rocky Mountain Power in Idaho, Utah, and Wyoming. The Company’s principal place of business is 825 NE Multnomah Street, Suite 2000, Portland, Oregon, 97232.
5. Pacific Power’s name and address:

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In addition, PacifiCorp respectfully requests that all data requests be addressed to:

 By e-mail (preferred) datarequest@pacificorp.com

 By regular mail Data Request Response Center

825 NE Multnomah Street, Suite 2000

Portland, Oregon 97232

1. REQUEST FOR MODIFICATION
2. In Docket UE-131723, the Commission convened a rule making to consider whether the Commission should modify rules in chapter 480-109 WAC to implement statutory changes and provisions of RCW 19.285, the Energy Independence Act. The Commission convened workshops and solicited written comments from stakeholders with respect to proposed revisions to the rules. On March 12, 2015, the Commission entered General Order R-578, Order Amending, Adopting, and Repealing Rules Permanently.
3. Pacific Power requests modification of Order 01 and Attachment A to bring Order 01 and Attachment A into conformance with the rules adopted by the Commission in General Order R-578. The changes requested by PacifiCorp are primarily conforming changes (e.g., correcting rule references) but do include substantive changes to reflect the requirements of the newly-adopted rules. The requested modifications are described below:
**ORDER 01**
* **In the header, replace:**

“WAC 480-109-010” with “WAC 480‑109-120”.

* **In paragraph 2, make the following changes:**

The Washington Utilities and Transportation Commission (Commission) promulgated rules implementing the EIA. These rules further require that, “On or before ~~January 31, 2010, and each year thereafter,~~ November 1st of every odd-numbered year, each utility must file with the commission a ~~report identifying~~biennial conservation plan. The plan must include, but is not limited to: (i) A request that the commission approve its ten-year ~~achievable~~ conservation potential and its biennial conservation target.” Upon conclusion of ~~its~~ the commission review of the utility’s biennial report or plan, “the Commission will ~~determine whether to approve, approve with conditions, or reject the utility’s ten-year achievable conservation potential and biennial~~ issue a decision accepting or rejecting the calculation of the utility’s conservation target.

* **In footnote 3, replace:**

“WAC 480-109-010(3)” with “WAC 480‑109-120(1)”.

* **In footnote 4, replace:**

“WAC 480-109-010(4)(c)” with “WAC 480‑109-120(5)(b)”.

* **In footnote 7, replace:**

“WAC 480-109-010(3)(b)” with “WAC 480‑109-120(2)(b)”.

* **In paragraph 8, make the following changes:**

Staff recommends the Commission approve fixed numbers for PacifiCorp’s achievable conservation potential and biennial conservation target instead of the ranges suggested by the Company. Specifically, Staff proposes an achievable conservation potential of 391,777 MWh and a biennial conservation target of 74,703 MWh. At the time of filing, WAC 480-109-010(2)(c) ~~allows~~ allowed utilities to establish ranges for targets, but not potentials, so Staff proposes the Commission adopt the high end of PacifiCorp’s range for the Company’s potential. With regard to PacifiCorp’s target, Staff maintains that PacifiCorp’s range requires only that the Company achieve 74,703 MWh to be in compliance, rendering the high end of the range irrelevant.

**In paragraph 14, make the following changes:**

Under RCW 19.285.040(1)(e), the Commission has authority to “rely on its standard practice for review and approval of investor-owned utility conservation targets.” WAC 480‑109‑~~010~~120 guides investor-owned utilities’ compliance with RCW 19.285.040(1). Specifically, WAC 480-109-~~010(4)(c)~~120(5)(b) provides that:

Upon conclusion of the commission review of the utility’s biennial report or plan, the commission will issue a decision accepting or rejecting the calculation of the utility’s conservation target; or ~~determine~~ determining whether the utility has acquired enough conservation resources to comply with its conservation target.~~to approve, approve with conditions, or reject the utility’s ten-year achievable conservation potential and biennial conservation target.~~

* **In paragraph 19, replace:**

“WAC 480-109-010” with “WAC 480‑109-120”.

* **In paragraph 22, replace:**

“WAC 480-109-010(3)” with “WAC 480‑109-110”.

* **In paragraph 23, replace:**

“WAC 480-109-010(1)” with “WAC 480‑109-100(2)”, and

“WAC 480-109-010(2)” with “WAC 480‑109-100(3)”.

* **In paragraph 25, replace:**

“WAC 480-109-010(4)” with “WAC 480‑109-120(5)”.

1. In addition, Pacific Power requests modification of provisions in Attachment A of Order 01 in Docket UE-132047 to comply with the rules adopted by the Commission in General Order R-578 with respect to the Energy Independence Act, as described below:

**ATTACHMENT A**

* **In Condition (1), replace:**

“WAC 480-109-010(4)(c)” with “WAC 480-109-120(1)(iii)”.

* **In Condition (3)(a)(ii), replace**:

“WAC 480-109-010(1)” with “WAC 480-109-100(2)”.

* **In Condition (8)(b), replace:**

“March 31” with “June 1” consistent with WAC 480-109-120(3).

* **In Condition (8)(e), replace:**

“WAC 480-109-040(1)” with “WAC 480-109-120(4)”.

* **In Condition (9)(a), replace:**

“WAC 480-109-010(1)” with “WAC 480-109-100(2)”.

* **In Condition (9)(b), replace:**

*“*WAC 480-109-010(2) and (3)” with “WAC 480-109-100(3) and WAC 480-109-120(1)”.

1. CONCLUSION
2. For the reasons set forth above, Pacific Power respectfully requests the Commission modify Order 01 as requested in this petition.

Respectfully submitted this 1st day of October, 2015,

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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