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May 23, 2013

VIA ELECTRONIC MAIL

Steven King
Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Pk. Dr. S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Re: **PacifiCorp d/b/a Pacific Power**
Docket UE-130545 Petition for Exemption from Disconnection of Service
Requirements

Dear Mr. King:

Public Counsel submits these comments in advance of the Commission's May 30, 2013, Open Meeting. These comments address the Petition for Exemption from Disconnection Service Requirements (Petition) filed by PacifiCorp on April 15, 2013. We were initially informed of the filing by Commission Staff on April 17, 2013, and we appreciate the opportunity to submit these comments.

Public Counsel Recommendation

Public Counsel supports the Staff recommendation to deny PacifiCorp's Petition.

A. The Commission should deny PacifiCorp's Petition for Exemption.

PacifiCorp is requesting an exemption from WAC 480-100-128(6)(k), which provides that "a utility representative dispatched to disconnect service must accept payment of a delinquent account at the service address, but will not be required to give change for cash paid in excess of the amount due and owing." To support its Petition, PacifiCorp cites an incident from Mississippi in which a utility worker was murdered while visiting a service address to disconnect service for nonpayment.¹

¹ Petition at ¶ 5.

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Undeniably, the Mississippi incident is tragic. However, Public Counsel believes that waiving WAC 480-100-128(b)(k) would not be in the public interest. Moreover, PacifiCorp has not shown that such a waiver would not have increased employee safety.

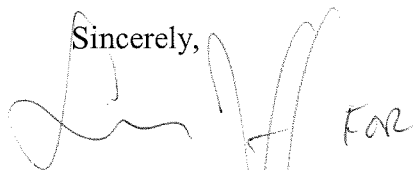
The number of disconnections would likely increase if the Petition is granted, which is contrary to the general policy favoring keeping customers connected. Electricity is an essential service, and unnecessary disconnections should be avoided. WAC 480-100-128(6)(k) protects the most vulnerable of a utility's customers, allowing them to stay connected if they can pay the amount owing at the time of the disconnection. The customers who would be most affected by the requested waiver are generally in crisis, are low income households, and are not likely to have internet access at home. They may not possess a bank account, let alone a credit card. Granting the Petition would be detrimental to these customers.

PacifiCorp states that it has stopped accepting payments when workers visit service locations in Utah.² PacifiCorp also states that customers in Utah have not complained due to the change in business practice.³ Notably, Utah does not have an equivalent rule to WAC 480-100-128(6)(k).

B. Conclusion

Public Counsel appreciates your consideration of these issues. I will attend the Commission's May 30, 2013, Open Meeting to address any questions regarding these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa W. Gafken', with the initials 'LWG' and 'For' written to the right.

LISA W. GAFKEN
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cc: Rayne Pearson, UTC Staff (E-mail)
Michelle Mishoe, PacifiCorp (E-mail)
Washington Dockets, PacifiCorp (E-mail)

² Petition at ¶ 8 and Exhibit A.

³ Petition at ¶ 8.