

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of

PACIFICORP, dba PACIFIC POWER &  
LIGHT COMPANY

Petition for an Order Approving Deferral of  
the Costs Associated with Demand Response  
Programs

DOCKET UE-220848

PACIFICORP'S PETITION TO  
AMEND ORDER 02

**I. INTRODUCTION**

*1* In accordance with WAC 480-07-875, PacifiCorp, dba Pacific Power & Light Company (PacifiCorp or Company), petitions the Washington Utilities and Transportation Commission (Commission) to amend Order 02 in Docket UE-220848. PacifiCorp is submitting this petition after collaboration with Commission Staff (Staff). PacifiCorp has shared a draft of this petition with Staff prior to filing, and Staff has indicated that it supports Commission approval of the requests made in this petition.

**II. BACKGROUND**

*2* PacifiCorp 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 electric 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.

3 PacifiCorp’s name and address:

Washington Dockets  
PacifiCorp  
825 NE Multnomah Street, Suite 2000  
Portland, OR 97232  
[washingtondockets@pacificorp.com](mailto:washingtondockets@pacificorp.com)

Joe Dallas  
Senior Attorney  
PacifiCorp  
825 NE Multnomah Street, Suite 2000  
Portland, OR 97232  
Phone: (360) 560-1937  
[joseph.dallas@pacificorp.com](mailto:joseph.dallas@pacificorp.com)

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

By e-mail (preferred) [datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)

By regular mail Data Request Response Center  
PacifiCorp  
825 NE Multnomah Street, Suite 2000  
Portland, OR 97232

Informal inquiries may be directed to Ariel Son, Regulatory Affairs Manager, at (503) 813-5410.

### III. ARGUMENT

4 PacifiCorp filed its original petition for an accounting order on January 26, 2022, and has sought to amend its petition to cover subsequent demand response programs submitted to the Commission under Schedule 106. The Company filed these amended petitions in accordance the text of Schedule 106, which provides:

Each new demand response program will be filed with the Commission and will include the information found on the website, *a deferral request*, cost effectiveness, the proposed evaluation and reporting schedule, and other details that may be required to support an approval request. Specific details such as eligibility requirements, dispatch notifications, change process, and incentive levels for each program will be included on the program website section of the Company website.<sup>1</sup>

---

<sup>1</sup> Schedule 106 – Demand Response Programs, *available at*: [https://www.pacificpower.net/content/dam/pcorp/documents/en/pacificpower/rates-regulation/washington/rates/106\\_Demand\\_Response\\_Programs.pdf](https://www.pacificpower.net/content/dam/pcorp/documents/en/pacificpower/rates-regulation/washington/rates/106_Demand_Response_Programs.pdf) (emphasis added).

5           In accordance with the text of Schedule 106, the Company filed its most recent demand response program on November 20, 2024, in the current docket—the Wattsmart Battery Demand Response Program. This filing included an amended accounting petition.

6           After making this foregoing filing, Staff reached out to PacifiCorp. Staff requested that the Company file a petition to amend Order 02 in the current docket: (1) allowing the accounting order to cover all program administered under Schedule 106; (2) clarifying that the deferral does not cover interest accrued in the accounting order for demand response costs; and (3) clarifying that recovery of any deferred amounts would occur through Schedule 191—consistent with the treatment of PacifiCorp’s deferred conservation program costs.<sup>2</sup> Staff also requested that the Company file tariff sheets to update Schedule 106 to no longer require Commission action to approve an amended accounting petition for every new demand response program.

7           WAC 480-07-875 grants the Commission the authority to amend any prior order. This rule further stipulates that any petition to amend an order must comply with the requirements set forth in WAC 480-07-870. Together, these rules provide the following grounds for amending a prior order: (a) Changed conditions since the Commission entered the order; (b) Harm to the petitioner resulting from the order that the Commission did not consider or anticipate when it entered the order; (c) An effect of the order that the Commission or the petitioner did not contemplate or intend; or (d) Any good and sufficient cause that the Commission did not consider or determine in the order.

---

<sup>2</sup> See, *In the matter of the Petition of PacifiCorp d/b/a Pacific Power and Light Company, For an Accounting Order Authorizing the Company to utilize deferred accounting for costs associated with demand response programs*, Docket No. UE-240393, Order 01 at 2 (June 29, 2023).

8            Since the issuance of Order 02, Staff has communicated that it is inefficient to require the Commission to approve an amended accounting petition every time there is a new demand response program. The Commission can address this problem to allow PacifiCorp to treat Schedule 106 similarly to its Oregon analogue, which does not require the Company to amend its petition for an accounting order with each new demand response program.<sup>3</sup> Instead, Company has a single deferral in Oregon that covers all demand response programs, which it can seek to recover or refund to customers when making revisions to its Oregon Schedule 291 (System Benefits Charge).<sup>4</sup> Such process is similar to the recovery of demand response programs in Washington, which occur through the Washington Schedule 191 (System Benefit Charge Adjustment).<sup>5</sup>

9            Based on conversations with Staff, PacifiCorp believes that the successive filing of requests to amend accounting petitions was an effect that neither Staff nor the Commission anticipated and is not an efficient use of the Commission’s finite resources. Accordingly, amending Order 02 to provide that the accounting order covers all demand response programs offered under Schedule 106 would appropriately resolve this inefficiency and give the Company assurances that the deferral covers all demand response costs.

10           Furthermore, conditions have changed since the Commission issued Order 02 in Docket UE-220848. In Order 02, the Commission approved the amended petition,

---

<sup>3</sup> See Oregon Schedule 106 – Demand Response Programs, *available at*: [https://www.pacificpower.net/content/dam/pcorp/documents/en/pacificpower/rates-regulation/oregon/tariffs/rates/106\\_Demand\\_Response\\_Programs.pdf](https://www.pacificpower.net/content/dam/pcorp/documents/en/pacificpower/rates-regulation/oregon/tariffs/rates/106_Demand_Response_Programs.pdf)

<sup>4</sup> See Oregon Schedule 291 – System Benefits Charge, *available at*: [https://www.pacificpower.net/content/dam/pcorp/documents/en/pacificpower/rates-regulation/oregon/tariffs/rates/291\\_System\\_Benefits\\_Charge.pdf](https://www.pacificpower.net/content/dam/pcorp/documents/en/pacificpower/rates-regulation/oregon/tariffs/rates/291_System_Benefits_Charge.pdf)

<sup>5</sup> *In the Matter of PacifiCorp d/b/a Pacific Power & Light Company, Accepting Tariffs Revisions to WN U-76, Schedule 191.1, System Benefits Charge Increase, Subject to Conditions*, Docket No. UE-240393, Order 01 \*August 30, 2024).

allowing the Company to “accrue interest on the unamortized balance at the FERC rate, until the Company files for recovery of these amounts at a later date.”<sup>6</sup> However, in Docket UE-240393, Staff took the position that interest should not accrue on deferred amounts associated with demand response.<sup>7</sup> Additionally, in Order 01 of the same docket, the Commission ordered that “Demand Response costs will not accrue interest at this time per WAC 480-109-130(3).”<sup>8</sup>

11           WAC 480-109-130(3) is only applicable to deferred conservation costs—not demand response costs. Regardless, PacifiCorp is willing to forego the collection of any interest associated with deferred demand response costs *if* these continue to be collected similarly to conservation costs. Specifically, if demand response costs do not accrue interest similar to conservation costs, they should continue to be collected similar to conservation costs through Schedule 191, as the Commission ordered in Order 01 in Docket UE-240393.<sup>9</sup> Allowing the collection of costs through Schedule 191 reduces the regulatory lag and burden of any prolonged interest (*i.e.*, more than a year) accrued from lenders for debt that PacifiCorp may need to issue associated with the administration of demand response programs. Accordingly, amending Order 02 in Docket UE-220848 would allow the Commission to clarify that no interest would accrue on deferred demand response costs, as long as the recovery of such costs continues to be similar to that of conservation costs and recovered through Schedule 191.

---

<sup>6</sup> See, *In the matter of the Petition of PacifiCorp d/b/a Pacific Power and Light Company, For an Accounting Order Authorizing the Company to utilize deferred accounting for costs associated with demand response programs*, Docket No. UE-240393, Order 01 at 2 (June 29, 2023).

<sup>7</sup> *Id.* at ¶ 7.

<sup>8</sup> *Id.* at ¶ 10.

<sup>9</sup> *Supra* fn. 4.

12 Concurrent with this filing, the Company has submitted revised tariff sheets for Schedule 106 to remove the requirement to file a deferral request for every new demand response program and specify that recovery of costs would occur through Schedule 191. PacifiCorp believes that this revision is appropriate if the Commission grants this petition, as all demand response program costs would be covered under the amended order, and any amounts can either be refunded or collected in a subsequent Schedule 191 tariff revision filing. PacifiCorp has shared its proposed Schedule 106 tariff revisions with Staff.

13 PacifiCorp notes that if the Commission approves the current petition, there would be no need to amend the petition for an accounting order, as all demand response program costs would be covered under the accounting order in Order 02 in Docket UE-220848. In particular, if the current petition is approved, the Commission could dismiss the prior amended accounting petition filed on November 20, 2024, as moot.


#### IV. CONCLUSION

14 PacifiCorp respectfully requests that the Commission grant this petition to amend Order 02 in Docket UE-220848 to clarify the following:

1. The accounting order covers all deferred demand response program costs administered under Schedule 106.
2. No interest shall be accrued for deferred demand response program costs administered under Schedule 106.
3. The recovery of demand response program costs administered under Schedule 106 shall be recovered through Schedule 191.

Respectfully submitted this March 5, 2025.

By:



Joe Dallas  
WSB# 54506  
825 NE Multnomah, Suite 2000  
Portland, OR 97232  
Phone: 360-560-1937  
Email: [joseph.dallas@pacificorp.com](mailto:joseph.dallas@pacificorp.com)

*Attorney for PacifiCorp*