

**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-210829

ORDER 12

GRANTING MOTION TO AMEND
FINAL ORDER 06

BACKGROUND

- 1 Revised Code of Washington (RCW) 19.405, Washington’s Clean Energy Transformation Act (CETA), and Washington Administrative Code (WAC) 480-100-640(1) direct electric investor-owned utilities to develop a clean energy implementation plan (CEIP or Plan) every four years. The passage of CETA during the 2019 Washington Legislative Session requires that CEIPs be informed by both a utility’s clean energy action plan and its long-term integrated resource plan.¹
- 2 On October 25, 2023, the Washington Utilities and Transportation Commission (Commission) entered Order 06, Final Order Approving and Adopting Settlement Agreement; Approving CEIP Subject to Conditions (Order 06). Order 06 approved PacifiCorp d/b/a Pacific Power & Light Company’s (PacifiCorp or Company) CEIP subject to conditions and approved and adopted a settlement agreement that, as relevant here, required that PacifiCorp obtain four paid licenses for access to the PLEXOS model on behalf of Commission staff (Staff). The licensing includes reasonable development, training, and support provided by Energy Exemplar to train Staff on use of the software.²
- 3 On May 1, 2024, Staff filed a Petition to Amend Final Order 06 (Petition), requesting that the Commission amend Order 06 to leave the exact number of licenses to the discretion of

¹ *In re Adopting Rules Relating to Clean Energy Implementation Plans and Compliance with the Clean Energy Transformation Act and Amending or Adopting rules relating to WAC 480-100-238, Relating to Integrated Resource Planning*, Dockets UE-191023 & UE-109698 (Consolidated), General Order 601, p. 24, ¶ 59 (Dec. 28, 2020) (General Order R-601).

² Declaration of Neiri Carrasco, ¶ 4.

Staff. Staff states that the cost of the licenses is higher than it anticipated, and that the terms of the settlement agreement allow PacifiCorp to seek to recover the full cost of the licenses from its customers.³ Because Staff's need for the licenses may be flexible, Staff petitions the Commission to allow it to determine its needed quantity of PLEXOS licenses by weighing the now-known cost against the benefits of additional Staff access, rather than requiring four mandatory licenses.⁴

4 Staff further states that no party opposes the Petition, and indeed no party filed a response.

DISCUSSION

5 The Commission grants the Petition. Pursuant to the settlement agreement, the Commission required the Company to obtain four mandatory PLEXOS licenses for the benefit of Staff and at the likely expense of ratepayers. Staff now states that in light of the significant cost of the licenses, it is willing to reevaluate its requirements. We agree with Staff that the unexpectedly high cost of the licenses and the potential impact that has on the Company's customers constitutes good and sufficient cause to amend Order 06 to allow Staff discretion over the actual amount of licenses it needs.

6 We therefore agree to amend Order 06 to allow Staff discretion over the number of PLEXOS licenses PacifiCorp is required to obtain for Staff, up to a maximum of four.

FINDINGS AND CONCLUSIONS

7 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including electric companies.

8 (2) PacifiCorp is an electric company and a public service company subject to Commission jurisdiction.

9 (3) Order 06 required PacifiCorp to obtain four PLEXOS licenses for Staff's use, for which PacifiCorp was permitted to seek full cost-recovery in rates.

³ Petition, ¶ 4-5.

⁴ Petition, ¶ 8.

- 10 (4) The cost of the licenses exceeded expectations, creating a potentially unreasonable burden on ratepayers.
- 11 (5) The excessive cost of the licenses is a change of condition that amounts to good and sufficient cause to amend Order 06.
- 12 (6) Staff should be allowed to weigh the benefits of the licenses against the potential burden to ratepayers when deciding its licensing requirements.
- 13 (7) Order 06 should be amended to require PacifiCorp to provide Staff with up to four PLEXOS licenses, with the exact number to be determined by Staff.

ORDER

THE COMMISSION ORDERS:

- 14 (1) Commission staff's Petition to Amend Final Order 06 is GRANTED.
- 15 (2) Final Order 06 is amended to require PacifiCorp d/b/a Pacific Power & Light Company to provide Commission staff with up to four PLEXOS licenses, with the exact number to be determined by Commission staff.
- 16 (3) The Commission retains jurisdiction over the subject matter and PacifiCorp d/b/a Pacific Power & Light Company to effectuate the provisions of this Order.

Dated at Lacey, Washington, and effective May 22, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chair

ANN E. RENDAHL, Commissioner

MILTON H. DOUMIT, Commissioner