

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION	)	DOCKET UE-230172
	)	
Complainant,	)	PETITION FOR CASE
	)	CERTIFICATION AND NOTICE OF
v.	)	INTENT TO REQUEST FUND GRANT
	)	OF THE ALLIANCE OF WESTERN
PACIFICORP d/b/a PACIFIC POWER & LIGHT COMPANY,	)	ENERGY CONSUMERS
	)	
Respondent.	)	

1 Pursuant to WAC § 480-07-370(3), Order 02 issued by the Washington Utilities and Transportation Commission (“Commission”) in Docket No. U-210595, and Articles 5.2.1 and 6.2 of the Washington Extended Interim Participatory Funding Agreement (“Extended Interim Agreement”), the Alliance of Western Energy Consumers (“AWEC”) files this Petition for Case Certification (“Petition”) and Notice of Intent to Request Fund Grant (“Notice”) in the above-referenced docket.

2 As required by Article 6.2 of the Extended Interim Agreement, AWEC is filing this Petition and Notice in advance of the time designated by the Commission. AWEC is also serving this Petition and Notice on PacifiCorp and each party to the proceeding.

3 Pursuant to Article 6.2, AWEC identifies the PacifiCorp Customer Representation Sub-Fund as the fund from which AWEC requests a Fund Grant. AWEC will file a Proposed Budget within 30 days of the date of the Prehearing Conference in these dockets, or at such other time designated by the Commission.

4           The Extended Interim Agreement provides funds “to qualified parties to enable them to advocate on behalf of broad customer interests in proceedings before the [Commission].”<sup>1/</sup> To be eligible for funding under the Extended Interim Agreement, a Participating Organization must be (1) case-certified for (2) an Eligible Proceeding. An “Eligible Proceeding” is, among other things, “any proceeding before the Commission carried out in accordance with or under the auspices of the public service laws, Commission regulations, or Commission orders ... directly affecting one or more of the Participating Public Utilities, in which matters materially affecting the public interest are at issue.”<sup>2/</sup>

5           PacifiCorp’s 2023 General Rate Case qualifies as an “Eligible Proceeding.” PacifiCorp is a Participating Public Utility under the Extended Interim Agreement.<sup>3/</sup> Additionally, this case will be carried out under the public service laws, namely RCW § 80.28.020, among others, and it will materially affect the public interest. PacifiCorp has proposed a Two-Year Rate Plan with rate impacts of 6.6% and 6.5% for years one and two, respectively.<sup>4/</sup>

6           Under Article 5.1 of the Extended Interim Agreement, “[o]nly parties that are case-certified for a particular proceeding will be eligible to receive Fund Grants.” Article 5.2.1 provides the necessary criteria for being case-certified to receive Fund Grants from the Customer Representation Sub-Fund. AWEC meets each of these criteria.

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<sup>1/</sup> Extended Interim Agreement, Recitals.  
<sup>2/</sup> Extended Interim Agreement, Article 1(c).  
<sup>3/</sup> *Id.* Article 1(g).  
<sup>4/</sup> Exh. MDM-1T at 1:22-2:4.

7 First, AWEC is neither a for-profit organization nor a governmental entity.  
AWEC is a non-profit organization formed for the benefit of its members.

8 Second, AWEC represents broad customer interests. AWEC represents the class  
of industrial customers that take electric service from PacifiCorp, and has several members that  
are PacifiCorp industrial customers. While the Commission declined to specifically define what  
constitutes “broad customer interests” in its Policy Statement on Participatory Funding for  
Regulatory Proceedings,<sup>5/</sup> RCW § 80.28.430(1), the statute authorizing the Extended Interim  
Agreement, explicitly states that “broad customer interests” includes industrial customers.

9 Third, AWEC has demonstrated in past proceedings that it is able to effectively  
represent PacifiCorp’s industrial customers. AWEC has been granted intervention, and has fully  
participated, in prior PacifiCorp rate proceedings, including its Limited Issue Rate Filing, UE-  
210532, and its Power Cost Only Rate Case, UE-210402. AWEC routinely sponsors multiple  
expert witnesses that identify numerous adjustments to PacifiCorp’s proposed revenue  
requirement. AWEC’s advocacy has directly resulted in lower energy costs both for industrial  
customers and for PacifiCorp’s customers overall.

10 Fourth, no other party to this proceeding (and, thus, no other stakeholder that  
could be case-certified) adequately represents the interests of industrial customers. Moreover, as  
demonstrated above, the specific interests of industrial customers and the public interest will  
benefit from AWEC’s participation in this proceeding.

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<sup>5/</sup> Docket No. U-210595, Policy Statement ¶ 27 (Nov. 19, 2021).

11 Finally, AWEC's request for case-certification will not unduly delay this  
proceeding.

12 Accordingly, AWEC respectfully requests that its Petition for Case Certification  
be granted as provided in the Interim Agreement.

Dated this 4th day of April, 2023.

Respectfully submitted,

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