

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	DOCKET UE-111190
TRANSPORTATION COMMISSION,	)	
	)	ORDER 01
Complainant,	)	
	)	
v.	)	
	)	
PACIFICORP D/B/A PACIFIC	)	
POWER & LIGHT COMPANY,	)	
	)	COMPLAINT AND ORDER
Respondent.	)	SUSPENDING TARIFF REVISION
.....	)	

**BACKGROUND**

- 1     On July 1, 2011, PacifiCorp d/b/a Pacific Power & Light Company (PacifiCorp or Company) filed with the Washington Utilities and Transportation Commission (Commission) a revision to its currently effective Tariff WN U-75, as listed in the appendix attached to this Order. The stated effective date is July 31, 2011. With this filing, PacifiCorp requests an electric rate increase of \$12.9 million, or 4.3 percent.
  
- 2     The Commission finds that the filing would increase charges and rates for service provided by PacifiCorp. Because those increases might injuriously affect the rights and interests of the public and PacifiCorp has not demonstrated that the increases would result in rates that are fair, just, reasonable and sufficient, the Commission suspends the tariff filing and will hold public hearings, if necessary, to determine whether the proposed increases are fair, just, reasonable and sufficient.
  
- 3     This proceeding meets the criteria in WAC 480-07-400(2)(b), and discovery will be conducted pursuant to the Commission's discovery rules in WAC 480-07-400 – 425.
  
- 4     On July 5, 2011, PacifiCorp filed a motion for protective order stating that portions of its prefiled direct testimony and workpapers in support of the proposed tariff revisions include sensitive information relating to coal costs, the Company's embedded cost of long-term debt, and confidential inputs (such as contract terms, heat rate coefficients, and forward price curves) to its net power cost modeling. Public release or use of this information could harm PacifiCorp and its customers because the information is

commercially sensitive. PacifiCorp requests that the Commission issue its standard protective order before the prehearing conference to protect the confidential information while facilitating discovery in this case.

- 5 According to RCW 80.04.095, WAC 480-07-420, and WAC 480-07-423, the Commission may issue protective orders protecting the confidentiality of information designated as proprietary. The Commission finds that the issuance of its standard protective order in this case will allow for the expeditious exchange of information to the parties to this proceeding. The motion for protective order is granted and Commission's standard protective order will be entered in this proceeding.

### FINDINGS AND CONCLUSIONS

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including electric companies.  
*RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.28.*
- 7 (2) PacifiCorp is an electric company and a public service company subject to Commission jurisdiction.
- 8 (3) This matter came before the Commission at its regularly scheduled meeting on July 28, 2011.
- 9 (4) The tariff revision PacifiCorp filed on July 1, 2011, would increase charges and rates for service provided by the Company, and might injuriously affect the rights and interest of the public.
- 10 (5) The Company has not yet demonstrated that the tariff revision would result in rates that are fair, just, reasonable, and sufficient.
- 11 (6) PacifiCorp's rates and charges for electric service shown on any tariffs the PacifiCorp does not propose to revise may also be investigated to determine if they are fair, just, reasonable, and sufficient.

- 12      (7)      In order to carry out the duties imposed upon the Commission by law, and as authorized in [RCW 80.04.130](#), the Commission believes it is necessary to investigate PacifiCorp's books, accounts, practices and activities; to make a valuation or appraisal of the Company's property; and to investigate and appraise various phases of PacifiCorp's operations. The Commission finds that this docket meets the criteria of WAC 480-07-400(2)(b)(i) and that discovery is available pursuant to the Commission's discovery rule in WAC 480-07-400 – 425.
- 13      (8)      As required by [RCW 80.04.130 \(4\)](#), PacifiCorp bears the burden of proof to show that the proposed increases are fair, just, reasonable and sufficient.
- 14      (9)      PacifiCorp may be required to pay the expenses reasonably attributable and allocable to such an investigation, consistent with [RCW 80.20](#).

## **O R D E R**

### **THE COMMISSION ORDERS:**

- 15      (1)      The tariff revisions PacifiCorp, d/b/a Pacific Power & Light Company filed on July 1, 2011, are suspended for a period not to exceed 10 months from the July 31, 2011, effective date, or until May 31, 2012.
- 16      (2)      Discovery in this proceeding will be conducted pursuant to the Commission's discovery rules in WAC 480-07-400 - 425.
- 17      (3)      The Commission's standard protective order will be entered in this proceeding.
- 18      (4)      The Commission will hold hearings at such times and places as may be required. Such hearings may also examine the Company's rates and charges for electric service shown on any tariffs the PacifiCorp does not propose to revise.
- 19      (5)      PacifiCorp, d/b/a Pacific Power & Light Company must not change or alter the tariffs filed in this docket during the suspension period, unless authorized by the Commission.
- 20      (6)      The Commission will institute an investigation of PacifiCorp's books, accounts, practices, activities, property and operations as described above.

- 21 (7) PacifiCorp shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with [RCW 80.20](#).

DATED at Olympia, Washington, and effective July 28, 2011.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

JEFFREY D. GOLTZ, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner

Attachment A

The proposed tariff sheets to be revised in the Company's currently effective Tariff WN-U-75 are designated as follows:

First Revision of Sheet No. Index.2		Tariff Index
First Revision of Sheet No. 15.1	Schedule 15	Outdoor Area Lighting Service – No New Service
First Revision of Sheet No. 16.1	Schedule 16	Residential Service
First Revision of Sheet No. 17.1	Schedule 17	Low Income Bill Assistance Program – Residential Service Optional for Qualifying Customers
First Revision of Sheet No. 18.1	Schedule 18	Three Phase Residential Service Rider
First Revision of Sheet No. 24.1	Schedule 24	Small General Service
First Revision of Sheet No. 24.2	Schedule 24	Small General Service
First Revision of Sheet No. 36.1	Schedule 36	Large General Service – Less than 1,000 kW
First Revision of Sheet No. 36.2	Schedule 36	Large General Service – Less than 1,000 kW
First Revision of Sheet No. 40.1	Schedule 40	Agricultural Pumping Service
First Revision of Sheet No. 40.2	Schedule 40	Agricultural Pumping Service
First Revision of Sheet No. 48T.1	Schedule 48T	Large General Service – Metered Time of Use 1,000 kW and Over
First Revision of Sheet No. 51.1	Schedule 51	Street Lighting Service – Company-Owned Service
First Revision of Sheet No. 52.1	Schedule 52	Street Lighting Service – Company-Owned System – No New Service
First Revision of Sheet No. 53.1	Schedule 53	Street Lighting Service – Customer-Owned System
First Revision of Sheet No. 54.1	Schedule 54	Recreational Field Lighting - Restricted
First Revision of Sheet No. 57.1	Schedule 57	Mercury Vapor Street Lighting Service – No New Service
First Revision of Sheet No. 57.2	Schedule 57	Mercury Vapor Street Lighting Service – No New Service
First Revision of Sheet No. 91	Schedule 91	Surcharge to Fund Low Income Bill Assistance Program