

**Exh. JNS-14
Docket UE-210829
Witness: Jaclynn N. Simmons**

**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

EXHIBIT TO TESTIMONY OF

JACLYNN N. SIMMONS

**ON BEHALF OF STAFF OF
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

PacifiCorp Response to UTC Staff Data Request No. 39

August 21, 2024

WUTC Data Request 39

During the Recessed Open Meeting on March 22, 2024, at timestamp 2 hours and 58 minutes, Mr. McVee brought up discussions with Staff regarding asking the Commission for a return on Power Purchase Agreements (PPA) and told the Commissioners the Company was looking into that as an option.

- (a) What conversations have PacifiCorp staff had around requesting a return on equity for PPAs in future procurements?
- (b) What conversations have PacifiCorp staff had around requesting a return on equity for PPAs in past requests for proposals/CEIP implementation?
- (c) Have PacifiCorp staff had any discussions about asking the Commission for deferred accounting treatment of any costs related to PPAs or implementation of the current CEIP? If yes, please provide material related to those discussions.

Response to WUTC Data Request 39

PacifiCorp assumes that “PacifiCorp staff” is meant to reference PacifiCorp’s internal communications including communications with legal counsel. Consistent with the foregoing understanding, the Company objects to this request as outside the scope of discovery permitted by Washington authorities, because it seeks privileged information subject to attorney-client confidentiality. Based on the foregoing assumption and objection, the Company responds as follows:

- (a) PacifiCorp is monitoring the request of Puget Sound Energy (PSE) in Commission docket UE-230810 and is also discussing options in response to settlement discussions as a result of litigation in this current proceeding (Docket UE-210829).
- (b) PacifiCorp’s past request for proposals (RFP) have been for system resources, therefore, requesting a return on equity (ROE) for specific power purchase agreements (PPA) from Washington, but not other states, has not seemed appropriate.
- (c) PacifiCorp is discussing options in response to the litigation in this current proceeding (Docket UE-210829).

PREPARER: Matthew McVee

SPONSOR: Matthew McVee