

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

WASHINGTON UTILITIES AND	)	DOCKET UE-061546
TRANSPORTATION COMMISSION,	)	
	)	
Complainant,	)	ORDER 03
	)	
v.	)	
	)	PREHEARING CONFERENCE
PACIFICORP D/B/A PACIFIC	)	ORDER
POWER & LIGHT COMPANY,	)	
	)	
Respondent.	)	
.....	)	

1     **PROCEEDINGS.** On October 3, 2006, PacifiCorp d/b/a Pacific Power & Light Company (PacifiCorp) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-74. The stated effective date is November 2, 2006. The company based its filing on a test period consisting of the twelve months ending March 31, 2006. The filing would increase PacifiCorp’s rates and charges for electric service to customers in the state of Washington. The Company asserts a revenue deficiency of \$23.2 million, which would require a rate increase of 10.2 percent for full recovery.

2     PacifiCorp requested entry of a Commission complaint and order suspending the tariff pages filed on October 3, 2006, without consideration at an open public meeting. PacifiCorp waived its right to object to the procedure by which this order is entered. The Commission suspended operation of the tariffs by Order 01 entered in this docket on October 10, 2006, and conducted a prehearing conference before Administrative Law Judge Dennis J. Moss on October 17, 2006.

3     **PARTY REPRESENTATIVES.** James M. Van Nostrand, Perkins Coie LLP, Portland, Oregon, represents PacifiCorp. Melinda J. Davison and Irion Sanger, Davison Van Cleve, P.C., Portland, Oregon, represent Industrial Customers of Northwest Utilities (ICNU). Brad M. Purdy, attorney, Boise, Idaho, represents The Energy Project. Simon ffitch, Assistant Attorney General, Seattle, Washington,

represents the Public Counsel Section of the Washington Office of the Attorney General. Donald T. Trotter, Assistant Attorney General, Olympia, Washington, represents the Commission's regulatory staff ("Commission Staff" or "Staff").<sup>1</sup> Contact information for the parties' representatives and consultants provided during, and subsequent to the conference is attached as Appendix 2 to this order.

4 **PETITIONS FOR INTERVENTION.** ICNU filed a petition to intervene on October 11, 2006. The Energy Project moved to intervene by oral petition during the prehearing conference. No party objected to these petitions and they were granted.

5 **PROTECTIVE ORDER.** The Commission has entered its standard form of protective order in this proceeding.

6 **DISCOVERY.** The parties will conduct discovery pursuant to the Commission's rules governing discovery, WAC 480-07-400, *et seq.*

7 **PROCEDURAL SCHEDULE.** The Commission adopts the procedural schedule for the consolidated proceeding set forth below and in Appendix 1 to this Order.

PacifiCorp's Prefiled Direct Testimony	October 3, 2006
Technical Workshops	November 1, 2006 November 16, 2006
Settlement Conferences	December 14, 2006 January 17-18, 2007
Staff, Public Counsel, and Intervenor Response Testimony	February 16, 2007
PacifiCorp Rebuttal Testimony	March 5, 2007

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<sup>1</sup> In formal proceedings, such as this case, the Commission's regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as any other party to the proceeding. There is an "ex parte wall" separating the Commissioners, the presiding Administrative Law Judge, and the Commissioners' policy and accounting advisors from all parties, including Staff. *RCW 34.05.455.*

Prehearing Conference, if needed	March 22, 2007 <sup>2</sup>
Evidentiary Hearing	March 27-30, 2007
Public Comment Hearing	TBD
Simultaneous Briefs	April 23, 2007
Suspension Date	September 3, 2007

8 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file with the Commission an original and twelve (12) copies of all pleadings, motions, briefs, and other prefiled materials. Paper copies of these materials are required to conform to the format and publication guidelines set forth in WAC 480-07-395 and 480-07-460, and must be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

9 All filings must be mailed to the Commission Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250, or delivered by hand to the Commission Secretary at the Commission's Records Center at the Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.

10 An electronic copy of all filings must be provided by e-mail delivery to <[records@wutc.wa.gov](mailto:records@wutc.wa.gov)>. Alternatively, Parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette or a CD including the filed document(s). The Commission prefers that parties furnish electronic copies in .pdf (Adobe Acrobat) format, supplemented by a separate file in

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<sup>2</sup> The Commission modifies this date from that discussed during the prehearing conference for administrative convenience.

MS Word 6.0 (or later), or WordPerfect 5.1 (or later) format. Parties are required to organize and identify electronic files as specified in WAC 480-07-140(5).

- 11 **ELECTRONIC FILING.** Parties may electronically submit documents designated for filing in this proceeding only with the permission of the administrative law judge. Under WAC 480-07-145(6), electronic submission of documents provides a one-day extension of the paper-filing requirement. If, at any time during this proceeding, the parties are authorized to electronically submit documents with the Commission under WAC 480-07-145(6), the parties must submit the document to [records@wutc.wa.gov](mailto:records@wutc.wa.gov), and file an original, plus 12 copies, of the document with the Commission by the following business day.
- 12 The Commission authorizes the parties to submit briefs via electronic media, as noted in the procedural schedule in Appendix 1.
- 13 **ALTERNATE DISPUTE RESOLUTION.** Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1142.
- 14 **NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

DATED at Olympia, Washington, and effective October 20, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS  
Administrative Law Judge

APPENDIX 1

PROCEDURAL SCHEDULE

DOCKET NO. UE-061546

<u>EVENT</u>	<u>DATE</u>	<u>INTERVAL</u>
PacifiCorp's Prefiled Direct Testimony	October 3, 2006	
Technical Workshops	November 1, 2006 November 16, 2006	
SETTLEMENT CONFERENCE	December 14, 2006 January 17-18, 2007	
Staff, Public Counsel, and Intervenor Response Testimony	February 16, 2007	136 Days
PacifiCorp Rebuttal Testimony	March 5, 2007	17 Days
Prehearing Conference, if needed	March 22, 2007	
Evidentiary Hearing	March 27-30, 2007	22 Days
Public Comment Hearing	TBD	
<b>Simultaneous Briefs</b>	<b>April 23, 2007</b>	24 Days
Suspension Date	September 3, 2007	133 Days

\*Briefs must be submitted via e-mail by 12:00 noon to meet the Commission's internal distribution schedule. Parties must initiate mail or courier delivery so originals and required copies are received by COB on the scheduled date.

**APPENDIX 2**

**PARTIES' REPRESENTATIVES  
DOCKET UE-061546**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
<b>PacifiCorp</b>	James M. Van Nostrand Perkins Coie LLP 1120 NW Couch St 10 <sup>th</sup> Floor Portland, OR 97209-4128	503-727-2162	503-346-2162	<a href="mailto:jvannostrand@perkinscoie.com">jvannostrand@perkinscoie.com</a> <a href="mailto:natalie.hocken@pacificorp.com">natalie.hocken@pacificorp.com</a> <a href="mailto:melissa.seymour@pacificorp.com">melissa.seymour@pacificorp.com</a> <a href="mailto:andrea.kelly@pacificorp.com">andrea.kelly@pacificorp.com</a>
<b>Industrial Customers of Northwest Utilities (ICNU)</b>	Melinda Davison Irion Sanger Davison Van Cleve, P.C. 333 S.W. Taylor, Suite 400 Portland, OR 97204	503-241-7242	503-241-8160	<a href="mailto:mjd@dvclaw.com">mjd@dvclaw.com</a> <a href="mailto:ias@dvclaw.com">ias@dvclaw.com</a> <a href="mailto:consultrfi@aol.com">consultrfi@aol.com</a> <a href="mailto:kiverson@consultbai.com">kiverson@consultbai.com</a>
<b>The Energy Project</b>	Brad M. Purdy Attorney at Law 2019 N. 17 <sup>th</sup> St. Boise, ID. 83702	208-384-1299	208-384-8511	<a href="mailto:bmpurdy@hotmail.com">bmpurdy@hotmail.com</a>
<b>Public Counsel</b>	Simon ffitc Public Counsel Section Office of Attorney General 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	206-464-6595	206-389-2058	<a href="mailto:Simonf@atg.wa.gov">Simonf@atg.wa.gov</a> <a href="mailto:stevenj@atg.wa.gov">stevenj@atg.wa.gov</a> <a href="mailto:carolw@atg.wa.gov">carolw@atg.wa.gov</a>
<b>Commission Regulatory Staff</b>	Donald T. Trotter Assistant Attorney General 1400 S. Evergreen Park Dr. S.W. P.O. Box 40128 Olympia, WA 98504-0128	360-664-1192	360-586-5522	<a href="mailto:DTrotter@wutc.wa.gov">DTrotter@wutc.wa.gov</a> <a href="mailto:tschoole@wutc.wa.gov">tschoole@wutc.wa.gov</a> <a href="mailto:abuckley@wutc.wa.gov">abuckley@wutc.wa.gov</a> <a href="mailto:gwaas@wutc.wa.gov">gwaas@wutc.wa.gov</a>