

December 3, 2021

***VIA ELECTRONIC FILING***

Public Utility Commission of Oregon  
201 High Street SE, Suite 100  
Salem, OR 97301-3398

Attn: Filing Center

**RE: UM 2193 – PacifiCorp Motion for a Partial Waiver of Oregon Administrative Rule 860-089-0250(2)(a)**

PacifiCorp d/b/a Pacific Power submits for filing its motion for a partial waiver of Oregon Administrative Rule 860-089-0250(2)(a).

PacifiCorp respectfully requests that all communications related to this filing be addressed to:

Oregon Dockets  
PacifiCorp  
825 NE Multnomah Street, Suite 2000  
Portland, OR 97232  
[oregondockets@pacificorp.com](mailto:oregondockets@pacificorp.com)

Carla Scarsella  
Deputy General Counsel  
825 NE Multnomah Street, Suite 1800  
Portland, OR 97232  
[carla.scarsella@pacificorp.com](mailto:carla.scarsella@pacificorp.com)

Additionally, PacifiCorp requests that all formal information requests regarding this matter be addressed to:

By email (preferred): [datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)

By regular mail: Data Request Response Center  
PacifiCorp  
825 NE Multnomah, Suite 2000  
Portland, OR 97232

Informal inquiries may be directed to Cathie Allen, Manager, Regulatory Affairs, at (503) 813-5934.

Sincerely,



Shelley McCoy  
Director, Regulation

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UM 2193**

In the Matter of

PUBLIC UTILITY COMMISSION OF  
OREGON,

Application for Approval 2022 All Source  
Request for Proposals.

**MOTION FOR A PARTIAL WAIVER  
OF OREGON ADMINISTRATIVE  
RULE 860-089-0250(2)(a)**

Pursuant to Oregon Administrative Rule (OAR) 860-001-0000(2) and OAR 860-089-0010(2), PacifiCorp d/b/a Pacific Power (PacifiCorp or Company) respectfully asks the Public Utility Commission of Oregon (Commission) for a partial waiver of OAR 860-089-0250(2)(a). Specifically, PacifiCorp is requesting a waiver of the requirement contained in OAR 860-089-0250(2)(a) that a utility must, prior to preparing a draft RFP, develop and file for approval in the utility's IE selection docket a proposal for scoring and any associated modeling. The Company requests that the Commission allow it to file a draft RFP prior to receiving approval of its scoring and associated modeling methodology and for the Commission to consider approval of the scoring and associated modeling methodology at the same time it deliberates on the final draft 2022AS RFP on April 4, 2022. A waiver is appropriate to allow for Staff and stakeholders additional time to consider the Company's scoring and associated modeling methodology. With the granting of the waiver request, Staff and stakeholders will have an additional four months to review the Company's proposed scoring and associated modeling methodology. A similar

waiver was granted in the Company's 2020AS RFP, docket UM 2059.<sup>1</sup> Good cause exists to grant the Company's motion.

## BACKGROUND

On September 2, 2021, PacifiCorp filed with the Commission an application requesting the Commission open a docket for approval of a solicitation process for new resources and to appoint an Oregon independent evaluator (IE) to oversee the process and approval of the scoring and modeling for the draft 2022AS RFP (Application). Attached to the Company's Application was a draft of the scoring and associated methodology.<sup>2</sup> The Application also proposed a fast-tracked schedule that requested a Commission decision approving the draft RFP in January 2022. The originally proposed schedule was partially driven by the timing of the Company's transmission cluster study. Upon receiving feedback from Oregon Staff as well as stakeholders in other jurisdictions, PacifiCorp worked with parties to resolve the timing concerns, resulting in a subsequent filing proposing a revised schedule.<sup>3</sup> The schedule in this proceeding was further refined in the Staff Report recommending adoption of the IE.<sup>4</sup> Under the current schedule, a scoring and associated modeling and storage modeling workshop was held on November 15, 2021 (November 15 Workshop); Staff, IE and other stakeholder comments on the scoring and associated modeling methodology were filed on November 22, 2021, and PacifiCorp's reply comments were filed on November 29, 2021 (November 29 Comments). The Commission is currently set to deliberate on the Company's proposed scoring and associated modeling methodology at its public meeting on December 14, 2021.

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<sup>1</sup> *In re the Matter of PacifiCorp, dba Pacific Power, Application for Approval of 2020 All-Source Request for Proposal*, Order No. 20-114 (Apr. 8, 2020).

<sup>2</sup> Application, Attachment C to the Draft Independent Evaluator RFP.

<sup>3</sup> Docket No. UM 2193, PacifiCorp Notice of Proposed Updated Schedule for 2022AS RFP (Oct. 1, 2021).

<sup>4</sup> Staff Report dated Oct. 11, 2021 at 9; *see also*, Staff's Scheduling Letter dated Nov. 4, 2021.

## WAIVER REQUEST

OAR 860-089-0250(2)(a) provides that

Unless the electric company intends to use an RFP whose design, scoring methodology, and associated modeling process were included as part of the Commission-acknowledged IRP, the electric company must, prior to preparing a draft IRP, develop and file for approval of the electric company's IE selection docket, a proposal for scoring and any associated modeling.

In this proceeding, PacifiCorp does not propose to use an RFP whose design, scoring methodology, and associated modeling process were included as part of a Commission-acknowledged IRP. It is following "track 2" as provided under OAR 860-089-0250(2)(a). Thus, before submitting a draft RFP, PacifiCorp must first develop and file for approval a proposal for scoring and any associated modeling.

As discussed in PacifiCorp's November 29 Comments, following the filing of its Application, PacifiCorp proposed incremental, discrete revisions to the scoring and associated modeling methodology, first reflected in an updated schedule filed on October 1, 2021,<sup>5</sup> next as part of its comments filed on October 20, 2021 in response to the Staff Report regarding approval of the IE (October 20 Comments), and then discussed at the public meeting held on October 21, 2021 (October 21 Public Meeting). Additional discrete revisions were made based on experience gained in its 2020AS RFP,<sup>6</sup> as a result of more recently accumulated understanding of the interconnection cluster study process, and upon reflection of the PLEXOS portfolio optimization functionality gained during the 2021 IRP process. These revisions were

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<sup>5</sup> PacifiCorp Notice of Proposed Updated Schedule for 2022 All-Source Request for Proposal Proceeding, October 1, 2021.

<sup>6</sup> *In the Matter of PacifiCorp d/b/a Pacific Power Application for Approval of 2020 All-Source Request for Proposals*, Docket No. UM 2059, Order No. 21-437 (Nov. 24, 2021).

presented at the November 15 Workshop. Attached to its November 29 Comments, PacifiCorp provided its proposed revised scoring and associated methodology.

As it stated in its November 29 Comments, PacifiCorp acknowledged that Staff and stakeholders may require additional time with the revised scoring and associated modeling. Therefore, as an alternative to deliberating on the scoring and associated modeling methodology at its December 14 Public Meeting, the Company recommended that the Commission consider the scoring and associated modeling methodology at the same time it deliberates on the final draft 2022AS RFP on April 4, 2022. To delay consideration of the scoring and associated modeling methodology requires a waiver of OAR 860-089-0250(2)(a), which requires that the scoring and associated modeling methodology be filed for approval before preparing the draft RFP. Granting this waiver would provide Staff and stakeholders an additional four months to review the proposed scoring and associated modeling methodology. Further, granting this waiver is consistent with the Commission’s Order No. 21-437 in the Company’s 2020AS RFP, docket UM 2059. Specifically, the Commission provided the following guidance that “in future RFPs, if PacifiCorp continues to utilize the second track for bid scoring methodology review, then a general guideline should be to allow more than three months, and ideally six months, for stakeholders and Staff to review the bid scoring methodology.”<sup>7</sup>

## **CONCLUSION**

Based on the foregoing, PacifiCorp respectfully requests that the Commission grant PacifiCorp a partial waiver of OAR 860-089-250(2)(a) to allow PacifiCorp to file a draft RFP without an approved scoring and associated modeling methodology and for the Commission to consider the scoring and associated modeling methodology at the same time it deliberates on the

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<sup>7</sup> Docket No. UM 2059, Order No. 21-437 at 11.

final draft 2022AS RFP on April 4, 2022. Good cause exists to grant the Company's request as it will provide Staff and stakeholders additional time to review and consider the Company's scoring and associated modeling methodology. The granting of the partial waiver will not prejudice the competitive solicitation process.

Respectfully submitted this 3<sup>rd</sup> day of December, 2021, on behalf of PacifiCorp.



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