



825 NE Multnomah, Suite 2000  
Portland, Oregon 97232

December 22, 2017

***VIA ELECTRONIC FILING***

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

Attn: Filing Center

**RE: UM 1845 – PacifiCorp’s Response**

PacifiCorp d/b/a Pacific Power encloses for filing its response to Caithness Beaver Creek, LLC’s Request to Modify Conditions in Order No. 17-345.

Please contact me with any questions regarding this filing at (503) 813-6583.

Sincerely,

A handwritten signature in black ink, appearing to read "Natasha Siores".

Natasha Siores  
Manager, Regulatory Affairs

## CERTIFICATE OF SERVICE

I certify that I electronically filed a true and correct copy of PacifiCorp's **Response** on the parties listed below via electronic mail in compliance with OAR 860-001-0180.

### Service List LC 67

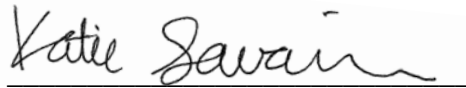
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| <b>COALITION LC 67</b>  |   |
| NANCY ESTEB<br>PO BOX 490<br>CARLSBORG, WA 98324<br><a href="mailto:esteb44@centurylink.net">esteb44@centurylink.net</a>  | JOHN LOWE<br>RENEWABLE ENERGY COALITION<br>12050 SW TREMONT ST<br>PORTLAND, OR 97225-5430<br><a href="mailto:jravenesanmarcos@yahoo.com">jravenesanmarcos@yahoo.com</a>                           |
| IRION A SANGER (C)<br>SANGER LAW PC<br>1117 SE 53RD AVE<br>PORTLAND OR 97215<br><a href="mailto:irion@sanger-law.com">irion@sanger-law.com</a>                                  |   |
| <b>ICNU LC 67</b>   |   |
| TYLER C PEPPE (C)<br>DAVISON VAN CLEVE<br>333 SW TAYLOR ST., SUITE 400<br>PORTLAND, OR 97204<br><a href="mailto:tcp@dvclaw.com">tcp@dvclaw.com</a>                              | BRADLEY MULLINS (C)<br>MOUNTAIN WEST ANALYTICS<br>333 SW TAYLOR STE 400<br>PORTLAND, OR 97204<br><a href="mailto:brmullins@mwanalytics.com">brmullins@mwanalytics.com</a>                         |
| PATRICK J OSHIE (C)<br>DAVISON VAN CLEVE PC<br>507 BALLARD RD.<br>ZILLAH, WA 98953<br><a href="mailto:pjo@dvclaw.com">pjo@dvclaw.com</a>  |   |
| <b>NATIONAL GRID</b>  |   |
| NATHAN SANDVIG<br>NATIONAL GRID USA<br>205 SE SPOKANE ST, STE 300<br>PORTLAND, OR 97202<br><a href="mailto:nathan.sandvig@nationalgrid.com">nathan.sandvig@nationalgrid.com</a> | JACK STODDARD<br>MORGAN LEWIS & BOCKIUS<br>ONE MARKET<br>SPEAR STREET TOWER<br>SAN FRANCISCO CA 94105<br><a href="mailto:fjackson.stoddard@morganlewis.com">fjackson.stoddard@morganlewis.com</a> |
| <b>NIPPC LC 67</b>  |   |
| ROBERT D KAHN<br>NORTHWEST & INTERMOUNTAIN POWER<br>PRODUCERS COALITION<br>PO BOX 504<br>MERCER ISLAND, WA 98040<br><a href="mailto:rkahn@nippc.org">rkahn@nippc.org</a>        | STEVE KNUDSEN<br>NIPPC<br>2015 SE SALMON ST<br>PORTLAND OR 97214<br><a href="mailto:sknudsen@nippc.org">sknudsen@nippc.org</a>  |

|  |   |
|--|---|
| SIDNEY VILLANUEVA (C)<br>SANGER LAW, PC<br>1117 SE 53RD AVE<br>PORTLAND, OR 97215<br><a href="mailto:sidney@sanger-law.com">sidney@sanger-law.com</a>                  |   |
| <b>NW ENERGY COALITION</b>   |   |
| WENDY GERLITZ (C)<br>NW ENERGY COALITION<br>1205 SE FLAVEL<br>PORTLAND, OR 97202<br><a href="mailto:wendy@nwenergy.org">wendy@nwenergy.org</a>                         | FRED HEUTTE (C)<br>NW ENERGY COALITION<br>PO BOX 40308<br>PORTLAND, OR 97240-0308<br><a href="mailto:fred@nwenergy.org">fred@nwenergy.org</a>   |
| <b>ODOE LC 67</b>  |   |
| DIANE BROAD (C)<br>OREGON DEPARTMENT OF ENERGY<br>625 MARION ST NE<br>SALEM OR 97301-3737<br><a href="mailto:diane.broad@state.or.us">diane.broad@state.or.us</a>      | JESSE D. RATCLIFFE (C)<br>OREGON DEPARTMENT OF ENERGY<br>1162 COURT ST NE<br>SALEM, OR 97301-4096<br><a href="mailto:jesse.d.ratcliffe@doj.state.or.us">jesse.d.ratcliffe@doj.state.or.us</a> |
| WENDY SIMONS (C)<br>OREGON DEPARTMENT OF ENERGY<br>625 MARION ST NE<br>SALEM, OR 97301<br><a href="mailto:wendy.simons@oregon.gov">wendy.simons@oregon.gov</a>         |   |
| <b>OREGON CITIZENS UTILITY BOARD</b>   |   |
| OREGON CITIZENS' UTILITY BOARD<br>610 SW BROADWAY, STE 400<br>PORTLAND, OR 97205<br><a href="mailto:dockets@oregoncub.org">dockets@oregoncub.org</a>                   | MICHAEL GOETZ (C)<br>OREGON CITIZENS' UTILITY BOARD<br>610 SW BROADWAY STE 400<br>PORTLAND, OR 97205<br><a href="mailto:mike@oregoncub.org">mike@oregoncub.org</a>                            |
| ROBERT JENKS (C)<br>OREGON CITIZENS' UTILITY BOARD<br>610 SW BROADWAY STE 400<br>PORTLAND, OR 97205<br><a href="mailto:bob@oregoncub.org">bob@oregoncub.org</a>        |   |
| <b>PACIFICORP LC 67</b>  |   |
| PACIFICORP, DBA PACIFIC POWER<br>825 NE MULTNOMAH ST, STE 2000<br>PORTLAND, OR 97232<br><a href="mailto:oregondockets@pacificorp.com">oregondockets@pacificorp.com</a> | ERIN APPERSON (C)<br>PACIFIC POWER<br>825 NE MULTNOMAH STE 1800<br>PORTLAND, OR 97232<br><a href="mailto:erin.apperson@pacificorp.com">erin.apperson@pacificorp.com</a>                       |
| ETTA LOCKEY<br>PACIFIC POWER<br>825 NE MULTNOMAH ST., STE 2000<br>PORTLAND, OR 97232<br><a href="mailto:etta.lockey@pacificorp.com">etta.lockey@pacificorp.com</a>     |   |

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| <b>PGE LC 67</b>   |   |
| FRANCO ALBI<br>PORTLAND GENERAL ELECTRIC<br>121 SW SALMON ST, 1WTC0702<br>PORTLAND, OR 97204<br><a href="mailto:franco.albi@pgn.com">franco.albi@pgn.com</a>               | PATRICK G HAGER<br>PORTLAND GENERAL ELECTRIC<br>121 SW SALMON ST 1WTC0306<br>PORTLAND, OR 97204<br><a href="mailto:pge.opuc.filings@pgn.com">pge.opuc.filings@pgn.com</a><br><a href="mailto:patrick.hager@pgn.com">patrick.hager@pgn.com</a> |
| V. DENISE SAUNDERS<br>PORTLAND GENERAL ELECTRIC<br>121 SW SALMON ST 1WTC1301<br>PORTLAND, OR 97204<br><a href="mailto:denise.saunders@pgn.com">denise.saunders@pgn.com</a> |   |
| <b>RENEWABLE NW LC 67</b>  |   |
| RENEWABLE NORTHWEST<br>421 SW 6TH AVE., STE. 1125<br>PORTLAND, OR 97204<br><a href="mailto:dockets@renewablenw.org">dockets@renewablenw.org</a>                            | MICHAEL O'BRIEN (C)<br>RENEWABLE NORTHWEST<br>421 SW 6TH AVENUE #975<br>PORTLAND, OR 97204<br><a href="mailto:michael@renewablenw.org">michael@renewablenw.org</a>  |
| SILVIA TANNER<br>RENEWABLE NORTHWEST<br>421 SW 6TH AVE, STE 975<br>PORTLAND, OR 97204<br><a href="mailto:silvia@renewablenw.org">silvia@renewablenw.org</a>                |   |
| <b>ROBERT J. PROCTER</b>   |   |
| BOB PROCTER<br>PROCTOR ECONOMICS<br><a href="mailto:proctereconomics@gmail.com">proctereconomics@gmail.com</a>   |   |
| <b>SIERRA CLUB</b>   |   |
| AMY HOJNOWSKI<br>SENIOR CAMPAIGN REPRESENTATIVE<br>SIERRA CLUB<br>(503) 347-3752<br><a href="mailto:amy.hojnowski@sierraclub.org">amy.hojnowski@sierraclub.org</a>         | GLORIA D SMITH (C)<br>SIERRA CLUB LAW PROGRAM<br>2101 WEBSTER ST STE 1300<br>OAKLAND, CA 94612<br><a href="mailto:gloria.smith@sierraclub.org">gloria.smith@sierraclub.org</a>  |
| ANA BOYD (C)<br>SIERRA CLUB<br>2101 WEBSTER ST STE 1300<br>OAKLAND, CA 94612<br><a href="mailto:ana.boyd@sierraclub.org">ana.boyd@sierraclub.org</a>                       |   |
| <b>STAFF LC 67</b>   |   |
| LISA GORSUCH (C)<br>PUBLIC UTILITY COMMISSION OF<br>OREGON<br>PO BOX 1088<br>SALEM OR 97308-1088<br><a href="mailto:lisa.gorsuch@state.or.us">lisa.gorsuch@state.or.us</a> | GEOFFREY IHLE (C)<br>PUBLIC UTILITY COMMISSION OF<br>OREGON<br>PO BOX 1088<br>SALEM, OR 97308<br><a href="mailto:geoffrey.ihle@state.or.us">geoffrey.ihle@state.or.us</a>   |

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| SOMMER MOSER (C)<br>PUC STAFF - DEPARTMENT OF JUSTICE<br>1162 COURT ST NE<br>SALEM, OR 97301<br><a href="mailto:sommer.moser@doj.state.or.us">sommer.moser@doj.state.or.us</a> |  |
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Dated December 22, 2017.



Katie Savarin  
Coordinator, Regulatory Operations

## CERTIFICATE OF SERVICE

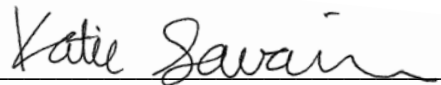
I certify that I electronically filed a true and correct copy of PacifiCorp's **Response** on the parties listed below via electronic mail delivery in compliance with OAR 860-001-0180.

### Service List UE 263

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|--|--|
| <p>OREGON CITIZENS' UTILITY BOARD<br/>610 SW BROADWAY, STE 400<br/>PORTLAND, OR 97205<br/><a href="mailto:dockets@oregoncub.org">dockets@oregoncub.org</a></p>                                   | <p>GREGORY M. ADAMS<br/>RICHARDSON ADAMS, PLLC<br/>PO BOX 7218<br/>BOISE, ID 83702<br/><a href="mailto:greg@richardsonadams.com">greg@richardsonadams.com</a></p>  |
| <p>GREG BASS<br/>NOBLE AMERICAS ENERGY SOLUTIONS, LLC<br/>401 WEST A ST., STE. 500<br/>SAN DIEGO, CA 92101<br/><a href="mailto:gbass@noblesolutions.com">gbass@noblesolutions.com</a></p>        | <p>KURT J BOEHM<br/>BOEHM KURTZ &amp; LOWRY<br/>36 E SEVENTH ST - STE 1510<br/>CINCINNATI, OH 45202<br/><a href="mailto:kboehm@bkllawfirm.com">kboehm@bkllawfirm.com</a></p>                                 |
| <p>STEVE W CHRISS (C)<br/>WAL-MART STORES, INC.<br/>2001 SE 10TH ST<br/>BENTONVILLE, AR 72716-0550<br/><a href="mailto:stephen.chriss@wal-mart.com">stephen.chriss@wal-mart.com</a></p>          | <p>MARIANNE GARDNER (C)<br/>PUBLIC UTILITY COMMISSION OF OREGON<br/>PO BOX 1088<br/>SALEM, OR 97308-1088<br/><a href="mailto:marianne.gardner@state.or.us">marianne.gardner@state.or.us</a></p>              |
| <p>KEVIN HIGGINS<br/>ENERGY STRATEGIES LLC<br/>215 STATE ST - STE 200<br/>SALT LAKE CITY, UT 84111-2322<br/><a href="mailto:khiggins@energystat.com">khiggins@energystat.com</a></p>             | <p>ROBERT JENKS (C)<br/>OREGON CITIZENS' UTILITY BOARD<br/>610 SW BROADWAY, STE 400<br/>PORTLAND, OR 97205<br/><a href="mailto:bob@oregoncub.org">bob@oregoncub.org</a></p>                                  |
| <p>SARAH E KAMMAN (C)<br/>PACIFIC POWER<br/>825 NE MULTNOMAH ST STE 1800<br/>PORTLAND, OR 97232<br/><a href="mailto:sarah.kamman@pacificcorp.com">sarah.kamman@pacificcorp.com</a></p>           | <p>JODY KYLER COHN<br/>BOEHM, KURTZ &amp; LOWRY<br/>36 E SEVENTH ST STE 1510<br/>CINCINNATI, OH 45202<br/><a href="mailto:jkylar@bkllawfirm.com">jkylar@bkllawfirm.com</a></p>                               |
| <p>KATHERINE A MCDOWELL (C)<br/>MCDOWELL RACKNER &amp; GIBSON PC<br/>419 SW 11TH AVE., SUITE 400<br/>PORTLAND, OR 97205<br/><a href="mailto:katherine@mcd-law.com">katherine@mcd-law.com</a></p> | <p>SAMUEL L ROBERTS (C)<br/>HUTCHINSON COX COONS ORR &amp; SHERLOCK<br/>777 HIGH ST STE 200<br/>PO BOX 10886<br/>EUGENE, OR 97440<br/><a href="mailto:sroberts@eugenelaw.com">sroberts@eugenelaw.com</a></p> |

|   |  |
|---|--|
| <p>TRACY RUTTEN<br/> LEAGUE OF OREGON CITIES<br/> 1201 COURT STREET NE<br/> SUITE 200<br/> SALEM, OR 97301<br/> <a href="mailto:trutten@orcities.org">trutten@orcities.org</a></p>  | <p>IRION A SANGER (C)<br/> SANGER LAW PC<br/> 1117 SE 53RD AVE<br/> PORTLAND, OR 97215<br/> <a href="mailto:irion@sanger-law.com">irion@sanger-law.com</a></p>                       |
| <p>DONALD W SCHOENBECK (C)<br/> REGULATORY &amp; COGENERATION<br/> SERVICES INC<br/> 900 WASHINGTON ST STE 780<br/> VANCOUVER, WA 98660-3455<br/> <a href="mailto:dws@r-c-s-inc.com">dws@r-c-s-inc.com</a></p>                            | <p>NONA SOLTERO<br/> FRED MEYER STORES/KROGER<br/> 3800 SE 22ND AVE<br/> PORTLAND, OR 97202<br/> <a href="mailto:nona.soltero@fredmeyer.com">nona.soltero@fredmeyer.com</a></p>      |
| <p>DOUGLAS C TINGEY<br/> PORTLAND GENERAL ELECTRIC<br/> 121 SW SALMON 1WTC1301<br/> PORTLAND, OR 97204<br/> <a href="mailto:doug.tingey@pgn.com">doug.tingey@pgn.com</a></p>  | <p>JAY TINKER<br/> PORTLAND GENERAL ELECTRIC<br/> 121 SW SALMON ST 1WTC-0306<br/> PORTLAND, OR 97204<br/> <a href="mailto:pge.opuc.filings@pgn.com">pge.opuc.filings@pgn.com</a></p> |
| <p>MICHAEL T WEIRICH (C)<br/> PUC STAFF--DEPARTMENT OF<br/> JUSTICE<br/> BUSINESS ACTIVITIES SECTION<br/> 1162 COURT ST NE<br/> SALEM OR 97301-4096<br/> <a href="mailto:michael.weirich@state.or.us">michael.weirich@state.or.us</a></p> |  |

Dated December 22, 2017.



Katie Savarin  
Coordinator, Regulatory Operations

## CERTIFICATE OF SERVICE

I certify that I electronically filed a true and correct copy of PacifiCorp's **Response** on the parties listed below via electronic mail in compliance with OAR 860-001-0180.

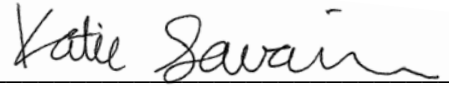
### Service List UM 1540

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|---|--|
| <p>GREGORY M. ADAMS <b>(C)</b><br/> RICHARDSON ADAMS, PLLC<br/> PO BOX 7218<br/> BOISE, ID 83702<br/> <a href="mailto:greg@richardsonadams.com">greg@richardsonadams.com</a></p>                                      | <p>PATRICK G HAGER<br/> PORTLAND GENERAL ELECTRIC<br/> 121 SW SALMON ST 1WTC0306<br/> PORTLAND, OR 97204<br/> <a href="mailto:pge.opuc.filings@pgn.com">pge.opuc.filings@pgn.com</a>;<br/> <a href="mailto:patrick.hager@pgn.com">patrick.hager@pgn.com</a></p>              |
| <p>ROBERT JENKS <b>(C)</b><br/> OREGON CITIZENS' UTILITY BOARD<br/> 610 SW BROADWAY, STE 400<br/> PORTLAND, OR 97205<br/> <a href="mailto:bob@oregoncub.org">bob@oregoncub.org</a></p>                                | <p>JASON W JONES <b>(C)</b><br/> PUC STAFF--DEPARTMENT OF JUSTICE<br/> BUSINESS ACTIVITIES SECTION<br/> 1162 COURT ST NE<br/> SALEM, OR 97301-4096<br/> <a href="mailto:jason.w.jones@state.or.us">jason.w.jones@state.or.us</a></p>   |
| <p>ROBERT D KAHN<br/> NORTHWEST &amp; INTERMOUNTAIN<br/> POWER PRODUCERS COALITION<br/> PO BOX 504<br/> MERCER ISLAND, WA 98040<br/> <a href="mailto:rkahn@nippc.org">rkahn@nippc.org</a></p>                         | <p>JIMMY LINDSAY<br/> RENEWABLE NORTHWEST PROJECT<br/> 421 SW 6TH AVE #1125<br/> PORTLAND, OR 97204-1629<br/> <a href="mailto:jimmy@rnp.org">jimmy@rnp.org</a></p>   |
| <p>DARRINGTON OUTAMA<br/> PORTLAND GENERAL ELECTRIC<br/> 121 SW SALMON ST, 3WTC0306<br/> PORTLAND, OR 97204<br/> <a href="mailto:darrington.outama@pgn.com">darrington.outama@pgn.com</a></p>                         | <p>PETER J RICHARDSON <b>(C)</b><br/> RICHARDSON ADAMS, PLLC<br/> PO BOX 7218<br/> BOISE, ID 83707<br/> <a href="mailto:peter@richardsonadams.com">peter@richardsonadams.com</a></p>   |
| <p>IRION A SANGER <b>(C)</b><br/> SANGER LAW PC<br/> 1117 SE 53RD AVE<br/> PORTLAND, OR 97215<br/> <a href="mailto:irion@sanger-law.com">irion@sanger-law.com</a></p>   | <p>V. DENISE SAUNDERS<br/> PORTLAND GENERAL ELECTRIC<br/> 121 SW SALMON ST 1WTC1301<br/> PORTLAND, OR 97204<br/> <a href="mailto:denise.saunders@pgn.com">denise.saunders@pgn.com</a></p>  |
| <p>DONALD W SCHOENBECK <b>(C)</b><br/> REGULATORY &amp; COGENERATION<br/> SERVICES INC<br/> 900 WASHINGTON ST STE 780<br/> VANCOUVER, WA 98660-3455<br/> <a href="mailto:dws@r-c-s-inc.com">dws@r-c-s-inc.com</a></p> | <p>JOHN W STEPHENS<br/> ESLER STEPHENS &amp; BUCKLEY<br/> 121 SW MORRISON ST STE 700<br/> PORTLAND, OR 97204-3183<br/> <a href="mailto:stephens@eslerstephens.com">stephens@eslerstephens.com</a>;<br/> <a href="mailto:mec@eslerstephens.com">mec@eslerstephens.com</a></p> |



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| MARY WIENCKE<br>PACIFIC POWER<br>825 NE MULTNOMAH ST, STE 1800<br>PORTLAND, OR 97232-2149<br><a href="mailto:mary.wiencke@pacificorp.com">mary.wiencke@pacificorp.com</a> | PACIFICORP, DBA PACIFIC POWER<br>825 NE MULTNOMAH ST, STE 2000<br>PORTLAND, OR 97232<br><a href="mailto:oregondockets@pacificorp.com">oregondockets@pacificorp.com</a> |
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Dated December 22, 2017.



Katie Savarin  
Coordinator, Regulatory Operations

**CERTIFICATE OF SERVICE**

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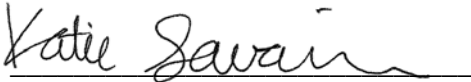
**Service List  
UM 1845**

|  |  |
|--|--|
| <b>CAITHNESS BEAVER CREEK, LLC</b>   |  |
| ROSS AIN<br>CAITHNESS BEAVER CREEK, LLC<br>565 5TH AVE 29TH FL<br>NEW YORK NY 10017<br><a href="mailto:rain@caithnessenergy.com">rain@caithnessenergy.com</a>          | DERREL GRANT<br>CAITHNESS BEAVER CREEK, LLC<br>565 5TH AVE 29TH FL<br>NEW YORK NY 10017<br><a href="mailto:dgrant@caithnessenergy.com">dgrant@caithnessenergy.com</a>    |
| GAIL CONBOY<br>CAITHNESS BEAVER CREEK, LLC<br>565 5TH AVE 29TH FL<br>NEW YORK NY 10017<br><a href="mailto:gconboy@caithnessenergy.com">gconboy@caithnessenergy.com</a> |  |
| <b>ICNU UM 1845</b>  |  |
| TYLER C PEPPE (C)<br>DAVISON VAN CLEVE<br>333 SW TAYLOR ST., SUITE 400<br>PORTLAND OR 97204<br><a href="mailto:tcp@dvclaw.com">tcp@dvclaw.com</a>                      | BRADLEY MULLINS (C)<br>MOUNTAIN WEST ANALYTICS<br>333 SW TAYLOR STE 400<br>PORTLAND OR 97204<br><a href="mailto:brmullins@mwanalytics.com">brmullins@mwanalytics.com</a> |
| RILEY G PECK (C)<br>DAVISON VAN CLEVE, PC<br>333 SW TAYLOR, STE 400<br>PORTLAND OR 97204<br><a href="mailto:rgp@dvclaw.com">rgp@dvclaw.com</a>                         |  |
| <b>NIPPC UM 1845</b>   |  |
| GREGORY M. ADAMS (C)<br>RICHARDSON ADAMS, PLLC<br>PO BOX 7218<br>BOISE ID 83702<br><a href="mailto:greg@richardsonadams.com">greg@richardsonadams.com</a>              | ROBERT D KAHN<br>NORTHWEST & INTERMOUNTAIN POWER<br>PRODUCERS COALITION<br>PO BOX 504<br>MERCER ISLAND WA 98040<br><a href="mailto:rkahn@nippc.org">rkahn@nippc.org</a>  |

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| <p>IRION A SANGER (C)<br/> SANGER LAW PC<br/> 1117 SE 53RD AVE<br/> PORTLAND OR 97215<br/> <a href="mailto:irion@sanger-law.com">irion@sanger-law.com</a></p>                                  |   |
| <p><b>PACIFICORP UM 1845</b></p>   |   |
| <p>PACIFICORP, DBA PACIFIC POWER<br/> 825 NE MULTNOMAH ST, STE 2000<br/> PORTLAND OR 97232<br/> <a href="mailto:oregondockets@pacificorp.com">oregondockets@pacificorp.com</a></p>             | <p>ERIN APPERSON (C)<br/> PACIFIC POWER<br/> 825 NE MULTNOMAH STE 800<br/> PORTLAND OR 97232<br/> <a href="mailto:erin.apperson@pacificorp.com">erin.apperson@pacificorp.com</a></p>      |
| <p><b>OREGON CITIZENS UTILITY BOARD</b></p>  |   |
| <p>OREGON CITIZENS' UTILITY BOARD<br/> 610 SW BROADWAY, STE 400<br/> PORTLAND OR 97205<br/> <a href="mailto:dockets@oregoncub.org">dockets@oregoncub.org</a></p>                               | <p>MICHAEL GOETZ (C)<br/> OREGON CITIZENS' UTILITY BOARD<br/> 610 SW BROADWAY STE 400<br/> PORTLAND OR 97205<br/> <a href="mailto:mike@oregoncub.org">mike@oregoncub.org</a></p>          |
| <p>ROBERT JENKS (C)<br/> OREGON CITIZENS' UTILITY BOARD<br/> 610 SW BROADWAY, STE 400<br/> PORTLAND OR 97205<br/> <a href="mailto:bob@oregoncub.org">bob@oregoncub.org</a></p>                 |   |
| <p><b>RENEWABLE NW UM 1845</b></p>   |   |
| <p>MICHAEL O'BRIEN<br/> RENEWABLE NORTHWEST<br/> 421 SW 6TH AVENUE #975<br/> PORTLAND OR 97204<br/> <a href="mailto:michael@renewablenw.org">michael@renewablenw.org</a></p>                   | <p>SILVIA TANNER<br/> RENEWABLE NORTHWEST<br/> 421 SW 6TH AVE, STE 975<br/> PORTLAND OR 97204<br/> <a href="mailto:silvia@renewablenw.org">silvia@renewablenw.org</a></p>                 |
| <p><b>STAFF UM 1845</b></p>  |   |
| <p>BENJAMIN FITCH-FLEISCHMANN (C)<br/> PUBLIC UTILITY COMMISSION OF<br/> OREGON<br/> PO BOX 1088<br/> SALEM OR 97308<br/> <a href="mailto:ben.fitch@state.or.us">ben.fitch@state.or.us</a></p> | <p>GEOFFREY IHLE (C)<br/> PUBLIC UTILITY COMMISSION OF<br/> OREGON<br/> PO BOX 1088<br/> SALEM OR 97308<br/> <a href="mailto:geoffrey.ihle@state.or.us">geoffrey.ihle@state.or.us</a></p> |

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| <p>JOHANNA RIEMENSCHNEIDER (C)<br/>PUC STAFF - DEPARTMENT OF<br/>JUSTICE<br/>BUSINESS ACTIVITIES SECTION<br/>1162 COURT ST NE<br/>SALEM OR 97301-4796<br/><a href="mailto:johanna.riemenschneider@doj.state.or.us">johanna.riemenschneider@doj.state.or.us</a></p> |  |
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Dated December 22, 2017.

  
Katie Savarin  
Coordinator, Regulatory Operations

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1845

In the Matter of  
PACIFICORP d/b/a PACIFIC POWER,  
Request for Proposals of an Independent  
Evaluator to Oversee the Request for  
Proposals Process.

PACIFICORP'S RESPONSE TO  
CAITHNESS BEAVER CREEK, LLC'S  
REQUEST TO MODIFY CONDITIONS  
IN ORDER NO. 17-345

PacifiCorp d/b/a Pacific Power (PacifiCorp or Company) respectfully requests that the Public Utility Commission of Oregon (Commission) deny Caithness Beaver Creek LLC's (Caithness) motion to modify the conditions in Order No. 17-345 (Request). Caithness's motion should be denied because: (1) the 2017R RFP clearly states that it is limited to wind resources; and (2) PacifiCorp explained this point to Caithness, and the IE agreed with PacifiCorp's decision to deem Caithness's bids ineligible and return its bid fee.

The Commission issued Order No. 17-345 on September 14, 2017, conditionally approving PacifiCorp's 2017 renewable request for proposals (2017R RFP) contingent upon subsequent acknowledgment of PacifiCorp's 2017 Integrated Resource Plan (2017 IRP) and several modifications requested by the independent evaluator (IE) or parties. The Commission issued Order No. 17-367 on September 27, 2017, which amended Order No. 17-345 by: (1) adding a condition requiring the IE to confirm that it resolved with PacifiCorp how to fairly score bids with different transmission requirements; (2) allowing bids by non-Wyoming wind resources that can deliver to PacifiCorp; (3) adding an additional power purchase agreement (PPA) bid option; (4) clarifying that bidders may provide comments on

the pro forma agreements; and (5) clarifying that the litigation clause excludes state commission complaints.

The 2017R RFP approval process included numerous opportunities for stakeholders to provide comments and also included two bidders' conferences, which occurred both before and after PacifiCorp issued the 2017R RFP.

## **I. ARGUMENT**

The 2017R RFP clearly outlines the bidder requirements that Caithness now contests, and Caithness's wind and battery storage bid was appropriately deemed non-conforming based on the RFP requirements. The bidder-eligibility requirements limiting resources to wind technologies are contained in the 2017R RFP and were also discussed at both the August 2 and October 2, 2017 bidders' conferences. Contrary to Caithness's arguments, this limitation on eligible resources to wind is not new.

The introduction of the 2017R RFP states: "This [2017R RFP] is seeking cost-competitive bids for up to 1,270 MW of wind energy interconnecting with or delivering to PacifiCorp's Wyoming system and any additional wind energy located outside of Wyoming that will reduce system costs and provide net benefits for customers." Additionally, in Section 5—Resource Information, Sub-Section D—Resource Types Eligible to Bid, the RFP states: "PacifiCorp is seeking new wind energy resources or repowered existing wind resources capable of directly interconnecting and/or delivering energy to PacifiCorp's PACE and PACW network transmission system by December 31, 2020." Although Caithness's bid includes wind generation, the addition of battery storage was not contemplated in the 2017R RFP and renders Caithness's bid non-conforming. Caithness claims that PacifiCorp deemed its projects non-conforming as a technology risk, but as PacifiCorp repeatedly explained to

Caithness, the projects are non-conforming because they include both wind and battery storage rather than just wind projects. Therefore, the technological risks that Caithness raises in its motion were not dispositive to a determination of eligibility, which PacifiCorp explained to Caithness on a December 2, 2017 call.

Caithness is correct that correspondence from PacifiCorp on November 17, 2017, stated: “We have completed our evaluation of bids for selection of the initial shortlist and unfortunately your Beaver Creek I and IV wind projects were deemed nonconforming under the eligibility requirements in the RFP per RFP H.13–technology risk and RFP H 11–evidence of third party transmission service to PacifiCorp’s system.” More specifically, RFP Section 3, Sub-Section H.13 states: “Proposal presents unacceptable level of development or technology risk.” During the December 2 call with Caithness, PacifiCorp, and the IE, PacifiCorp explained that the reference to technology risk is related to the 2017R RFP requirement that only wind technology is deemed to be in compliance.


PacifiCorp discussed the eligibility of all bids associated with the 2017R RFP with both the Oregon and Utah IEs. Based on the criteria outlined in the 2017R RFP, both of the IEs agreed that Caithness’s bid should be deemed ineligible and that PacifiCorp should return all bid fees. Caithness’s bid was not the only bid that was deemed non-conforming due to failure to limit the bid to wind generation only.

Because Caithness’ bids were deemed non-conforming, PacifiCorp did not discuss transmission issues with Caithness on the December 2, 2017 call. Since PacifiCorp appropriately deemed Caithness’ bids non-conforming, it appropriately did not address any transmission service issues with Caithness. Instead, PacifiCorp returned Caithness’ bid fee, and the Oregon IE agreed with that approach.

## II. CONCLUSION

PacifiCorp respectfully requests that the Commission deny Caithness Beaver Creek LLC's request to modify the conditions in Order No. 17-345 because: (1) the 2017R RFP is limited to wind resources; and (2) PacifiCorp explained this criteria to Caithness, and the IE agreed with PacifiCorp's decision to deem Caithness's bids ineligible and return its bid fee.

Respectfully submitted this 22<sup>nd</sup> day of December, 2017.

By: 

Matthew McVee  
Assistant General Counsel  
PacifiCorp d/b/a Pacific Power