PACIFIC POWER
A DIVISION OF PACIFICORP

825 NE Multnomah Street, Suite 2000
Portland, Oregon 97232

February 14, 2024

VIA ELECTRONIC FILING

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

RE: LC 82—PacifiCorp's Comments on Staff Report

PacifiCorp d/b/a Pacific Power submits for filing its Comments on the Staff Report in the above-referenced docket.

Please direct any questions to Cathie Allen, Regulatory Affairs Manager, at (503) 813-5934.

Sincerely,

/s/ Zachary Rogala
Zachary Rogala
Attorney for PacifiCorp

Enclosures

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

LC 82

In the Matter of PACIFICORP, dba PACIFIC POWER 2023 Integrated Resource Plan	PacifiCorp's Comments on Staff Report

I. INTRODUCTION

On February 7, 2023, Oregon Public Utility Commission (Commission) Staff filed its Report and Final Recommendation (Report) on PacifiCorp d/b/a PacifiCorp Power's 2023 Integrated Resource Plan (IRP) and 2023 Clean Energy Plan (CEP). Staff recommends the Commission partially acknowledge the IRP; decline to acknowledge the CEP; require the Company to revise and resubmit aspects of the IRP and CEP and engage in additional acknowledgement processes; and consider additional requirements or guidance for the Company's upcoming small-scale renewable request for proposals (SSR RFP).

The Company respectfully requests the Commission reject several Staff recommendations, and instead either fully or partially acknowledge the 2023 IRP and CEP, and if the Commission has any concerns with the 2023 IRP Update, recommend the Company workshop these issues in the ongoing 2025 IRP and CEP stakeholder engagement processes.

II. ARGUMENT

After two years of stakeholder discussions and internal planning efforts, PacifiCorp submitted its 2023 IRP and CEP for the Commission's review in May of 2023. Consistent with Commission requirements and guidance, these documents reflect least-cost, least-risk strategies that are based on then-available information. Because resource procurement planning is a dynamic process, these strategies will always become stale due to evolving facts or market conditions that will inevitably occur after these planning documents are filed.

Yet Staff recommends not acknowledging portions of PacifiCorp's 2021-2023 planning efforts. This recommendation is not based on a perceived or actual conflict with Commission IRP or CEP regulations or guidance. Rather, Staff relies on the proposition that because of post-submission changed circumstances—like the suspension of the 2022 All-Source RFP (2022AS RFP) and stay of the U.S. Environmental Protection Agency's Ozone Transport Rule—that approval would not be in the public interest,[1] and that these events justify material revisions and additional acknowledgment processes for the 2023 IRP Update and CEP.[2] To that end, Staff's Report includes thirteen recommendations that support partial acknowledgment of the IRP, and revision and resubmission of the CEP; over fifty expectations for the IRP Update, 2025 IRP, and CEP; and approximately a half-dozen requirements and recommendations for the SSR RFP.

The Company is committed to continue working with stakeholders and Staff to improve the IRP, CEP, and SSR RFP processes. Yet several of Staff's recommendations are unreasonable, unduly burdensome, would establish unworkable precedent, and call into question what value the Commission's multi-year resource IRP and CEP planning processes provide. This is

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[1] *See, e.g.,* Attachment A to Staff Report at 12; 53 ("Despite the good work and hard effort of PacifiCorp staff, the decisions to both suspend the 2022 AS RFP and push all necessary revisions of LC 82 analysis to the IRP Update mean Staff and stakeholders lack the shared analytic understanding for making many of the needed acknowledgement recommendations required of this IRP/CEP."); *Id.* at 14 ("CEP acknowledgement hinges upon a finding that the CEP is, "in the public interest and consistent with the clean energy targets…" of HB 2021. The recent order in UM 2273 provides an excellent overview of the public interest factors for valuating a CEP. As noted above, given the Company's unwillingness to revise its analysis, Staff recommends not acknowledging the CEP.").

[2] *See, e.g., Id.* at 3 ("Because PacifiCorp will not voluntarily make changes to this IRP/CEP, some of the most important issues before us lack a shared analytic foundation from which an acknowledgement determination can be made.").

especially the case where, after two decades of IRP guidance and almost two years of HB 2021 investigations, Staff does not rely on a single Commission IRP regulation or guidance from UM 2225 to support its recommendations. Further, some of Staff's recommendations are well beyond the scope of LC 82. This includes the specific requirements for the Company's SSR RFP, a document that has not been submitted for stakeholder or Commission review in this proceeding.

PacifiCorp urges the Commission to reject Staff recommendations that would require any further revisions, resubmissions, or subsequent acknowledgment processes, and instead acknowledge the 2023 IRP and CEP—either fully or partially—as initially filed. This would avoid the additional unnecessary and taxing processes suggested by Staff. And if the Commission has any concerns with either document, it should direct the Company to collaborate with stakeholders and address material changes to the 2023 IRP and CEP (including those highlighted by Staff) in the current 2025 IRP and CEP planning processes.

A. The Commission should acknowledge the 2023 IRP and CEP as originally submitted.

Among others, Staff recommends the Commission: (1) not acknowledge IRP action plan elements 2b and 2c, the preferred portfolio, or the long-term plan; (2) direct PacifiCorp to seek acknowledgement of a revised Preferred Portfolio and Action Plan in the planned 2023 IRP Update; (3) not acknowledge the CEP and direct PacifiCorp to revise and resubmit with its 2023 IRP Update; (4) not acknowledge Action Plan items 1h and 2a; (5) fix analytical errors in the Company's granularity adjustments; (6) update the action plan to incorporate additional information regarding Natrium and non-emitting peaking resources since May

2023; and (7) address additional SSR RFP requirements.[3] Each of these recommendations are intended to allow the Commission and Stakeholders to revisit the 2023 IRP and CEP based on new events and circumstances, or consider issues outside the scope of the docket.

The Commission should reject Staff's recommendations, and acknowledge both documents as originally filed.

First, Staff's post hoc review processes are contrary to the intent of the Commission's IRP and CEP authorities, which support acknowledgement based on the information and conditions that were known and reasonable at the time of submission. Changed circumstances, including market fluctuations and changing regulatory requirements, are *always* expected after the submission of an IRP and CEP. This reality is incorporated in IRP or CEP modeling, which "freezes" planning assumptions and methodologies at a certain point to accommodate the extensive time that is needed for modeling and computing processes, post-modeling analysis, public outreach, and subsequent drafting periods.

After these years-long processes, the Company presents its final work product for the Commission's review to determine if the IRP and CEP warrants acknowledgment based on then-relevant assumptions and information. For example: Were the Company's price curves and load forecasts reasonable? Did the modeling adequately reflect pertinent federal, state, and local policies? How did the Company address stakeholder feedback gleaned from prior planning cycles? Were the Company's procurement strategies appropriate at the time of submission? Has the Company reasonably demonstrated a continual reduction in greenhouse gas emissions? This is a deliberate process that evaluates developments over a two to three-year interval since the previous plans were submitted. This is not an ongoing, real-time

[3] *See, e.g.,* Report, Appendix A, 55-56.

assessment of the Company's twenty-year planning efforts, because there are distinct beginning and end periods to IRP and CEP review cycles. Only the information available up to the point of each document's submission is relevant.

Nevertheless, Staff argues that post-submission changes in circumstances renders the 2023 IRP "moot" and "obsolete," which should prevent acknowledgment.[4] This argument is based on the flawed premise that an IRP and CEP should be judged not as a *snapshot* of the reasonableness at the time of filing, but rather as a continuous *time-lapse* of resource planning, with post-submission changes in external circumstances constituting a basis for non-acknowledgment. Respectfully, if post-submission changes in circumstances can negate the Company's and stakeholder's extensive multi-year efforts, it casts doubt on the fundamental purpose of mandated resource planning processes.

The Commission's historic approach reflects a more pragmatic approach, where the Commission typically requires the Company to incorporate post-submission changes in circumstances in specific analyses or discussion in the *next* planning cycle.[5] This contrasts with Staff's current recommendation, which supports extensive remodeling of the CEP in the *current* cycle. In line with the Commission's historic approach, the Company has already commenced public input meetings for the 2025 IRP and CEP, drafts of both documents are anticipated to be filed in under a year, with final drafts filed by March 31, 2025. This timeline will incorporate the specific changes that have occurred since the 2023 IRP and CEP were filed, including those identified by Staff.

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[4] Report at 3-4.
[5] *See e.g.,* LC 77, Order No. 22-178 (the Commission directed PacifiCorp to fully assess the potential for gas conversion, use of hydrogen, biofuel, or other lower-carbon fuels, or alternative coal stockpiles or supply methods for Jim Bridger 3 and 4 in its next IRP cycle).

Second, Staff's recommendation would establish unreasonable precedent, because it would result in a perpetual IRP or CEP acknowledgment process. For example, the Company submitted its 2023 IRP and CEP on May 31, 2023, and it has already taken 8 months and three rounds of comments to reach this stage. Despite these substantial efforts, Staff would compel the Company to resubmit its IRP or CEP, and the Commission and stakeholders to re-start the acknowledgment processes. Given that the energy sector is experiencing some of the greatest rates of change in the past century, Staff's recommendation would support continual IRP and CEP acknowledgment processes to accommodate ever-changing circumstances—all for proceedings that the Commission thought would require less than six months to conclude.[6]

That is Sisyphean. It is unreasonable, not only because it is needlessly drawn-out and administratively taxing, but also because the 2025 IRP and CEP are due in just over one year, which could result in concurrent review of two distinct IRPs and CEPs. Indeed, Staff does not propose a specific timeline for its proposed additional processes, except that it "plans to work quickly to review the CEP once it is filed."[7] Should the Commission adopt this recommendation, and delay the timeline for issuing acknowledgement orders for the 2023 planning documents, there may not be sufficient time to incorporate any Commission directives in the forthcoming 2025 IRP and CEP.

Third, while Staff has several reasonable suggestions, many are excessively onerous and beyond the scope of this docket.[8] Consider just one category: Staff's requirements for the

[6] *See* UM 1056, Order No. 07-002, at 10-11 ("The IRP process has become more complex, with more analysis of risk and uncertainty in resource acquisition strategies. In light of this fact, and the process needed to allow an opportunity to fully review and comment on an IRP, we retain the proposed six-month review period.").
[7] Staff Report at 8.
[8] Appendix A below provides PacifiCorp's general responses to Staff's thirteen recommendations.

upcoming SSR RFP. Understanding that the Commission's competitive bidding requirements do not apply to the SSR RFP,[9] PacifiCorp tailored the SSR RFP to accommodate both sophisticated and novice bidders by streamlining and simplifying the SSR RFP and its contracting process. Nonetheless, the Company and Staff wanted to provide an opportunity for stakeholders to review and comment on the SSR RFP prior to release. That occurred outside LC 82, in a variety of informal discussions that culminated in a pre-issuance bidder workshop held on January 24, 2024. And while Staff participated in some of these discussions (though not all), Staff included several specific requirements and recommendations on the SSR RFP in this proceeding.

These requests are not proper for Commission review, as the Company has not submitted the SSR RFP for investigation in this docket. Because of that fact, it would violate Company and Stakeholder due process rights to consider these recommendations, as no party has been given notice that this was an issue for consideration in LC 82, nor the opportunity to be heard.

Yet on the merits, Staff's recommendations are even more problematic. Some are prohibited by Commission regulations.[10] Others seek to transform the current fast-track RFP process into a full-blown RFP subject to the Commission's competitive-bidding

[9] *See, e.g.,* OAR 860-089-0100(1) (applying to resources larger than 80 megawatts).
[10] *Compare* Report, Attachment C at 2 (stating that ODOE RPS certification is "optional" and WREGIS requirements are not required); *with* OAR 860-091-0030(1) (requiring that SSR projects "must be an Oregon RPS-approved generator," which requires resources to secure WREGIS generation unit IDs) *and* AR 622, Order No. 21-464, at 12 (the Commission confirmed "we require the small-scale generators be certified as RPS-eligible by the Oregon Department of Energy (ODOE)," and the Commission continued: "To have a clear and straightforward verification process for project eligibility, projects should be on ODOE's publicly available list of RPS-approved facilities.").

requirements,[11] while others seek to apply community benefit indicator (CBI) metrics from the current CEP to the SSR RFP, while at the same time recommending the Commission decline to acknowledge the CEP that includes those same and similar CBIs.[12] Others still seek to allow energy storage projects to qualify, allow contracts to be individually negotiated and structurally modified, reduce the minimum size requirement down to 25 kW, and include additional scoring parameters and metrics.

These requests would defeat the purpose of the SSR RFP, which the Company has fast-tracked to procure as many 3-20 MW resources as possible to begin to meet the Company's SSR mandate. If accepted by the Commission, the Company will be forced to consider alternative procurement strategies, including shelving the SSR RFP for more reasonable options.

Fourth, IRP or CEP acknowledgment should not be confused with prudence review, nor a substitute for resource procurement or rate-making decisions. IRPs and CEPs *inform* the Company's procurement strategies, they do not *control* those strategies. This is why these documents are subject to acknowledgment rather than pre-approval of specific resources or procurement actions. Rigid adherence to plans without the ability to accommodate new developments can lead to procurement decisions that may not align with the best interests of the customers. That is why the prudency of procurement decisions are typically evaluated within

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[11] *See, e.g.,* Report, Attachment C at 4 (requiring PacifiCorp to allow for contract red-lines, based on the Commission's decision on Portland General Electric's 2023 All-Source Request for Proposals—an RFP subject to the Commission's competitive bidding requirements, unlike the SSR RFP which is not); *Id.* (requiring PacifiCorp to include more information on the scope of PacifiCorp's voluntarily hired Independent Examiner based on the Commission's decision on PacifiCorp's 2022 AS RFP—again, an RFP subject to the Commission's competitive bidding requirements, unlike the SSR RFP which is not).

[12] *Compare* Report, Attachment C at 3 (requiring additional CBI metrics from LC 82), *with Id.* at 2 (recommending rejection of CEP, which includes CBIs, until after resubmission and subsequent acknowledgment process).

rate cases, and not in planning documents that are filed several years before resources have been acquired. Insisting on additional process in response to post-submission events that impact the Company's procurement efforts misses the mark on the purpose of utility planning processes and the Commission's acknowledgment standard of decision.

Fifth, Staff's recommendation conflicts with Commission regulations. Electric utilities retain the discretion to request acknowledgment of an IRP Update.[13] Because the Company does not plan to seek acknowledgment of the IRP Update (a power that the Commission vested with the Company and not with Commission Staff), and because Commission Staff has not requested a waiver of Commission regulations to require PacifiCorp to do so, the Commission should decline Staff's request.

This regulation reflects the Commission policy that it is not appropriate to mandate an electric utility to seek acknowledgment of an IRP Update. This is because the IRP Update serves a distinctly different purpose than a comprehensive IRP. The IRP Update is an "informational filing" that serves as a mid-process evaluation of the 2023 IRP's performance;[14] it incorporates changes in key assumptions like demand and pricing, describes actions the Company has taken to implement the action plan, and additional considerations based on the unique aspects of the current IRP cycle.[15] Thus, the scope of IRP Updates is intentionally narrow, and does not substantially overhaul the Company's methodologies, embedded reports, foundational assumptions of the original IRP, or involve the comprehensive stakeholder efforts that inform a typical IRP.

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[13] OAR 860-027-0400 ("The energy utility *may* request acknowledgment of changes, identified in its update, to the IRP action plan.") (emphasis added).
[14] OAR 860-027-0400(8).
[15] OAR 860-027-0400(8)(a)-(c).

Consequently, the IRP Update is an extension of the original IRP, not a redo or a replacement that requires a distinct acknowledgment procedure. The Company understands the concerns raised by Staff and stakeholders regarding impacts from the 2023 IRP Update. Nonetheless, Commission regulations confirm that these impacts are the exact reason for IRP Updates—to provide the Commission with a mid-cycle review of the Company's preferred portfolio and action plan.[16] In line with Commission regulations, the 2023 IRP Update will highlight significant changes since the submission of the 2023 IRP, and will identify any necessary adjustments for the forthcoming IRP. Meanwhile, the ongoing 2025 IRP and CEP stakeholder engagement processes will incorporate these insights accordingly.

Sixth, Staff's recommendation to revise and refile the CEP by April 1, 2024 is unrealistic. The Company represents that it is not possible to meet an April 1, 2024, compliance deadline. And while the Company appreciates that Staff recommends an additional four to eight weeks to incorporate any changes to the CEP if the Company cannot file by April 1, 2024,[17] even assuming a narrow CEP update (much narrower than Staff's overall CEP recommendations), it will require four to six months to incorporate impacts from the 2023 IRP Update on the Company's CEP compliance strategies.

To illustrate this point, Staff suggests that the Company's CEP compliance pathways should be updated and revised to account for post-submission changes in circumstances.[18] To do so, it is necessary to reexamine the Oregon-allocated CEP analysis that underpins it.[19]

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[16] OAR 860-027-0400(9) (requiring utilities to file IRP updates as soon as there are "significant deviation[s]" from the previous IRP, but importantly, subject to the processes of -0400(8) which only allows for acknowledgment if the Company requests).
[17] Report, at 8.
[18] Report, Attachment A at 1.
[19] PacifiCorp 2023 CEP, page 65.

Even ignoring the sensitivity studies used to validate and inform final strategies, this analysis hinges on the Company's Small-Scale Renewable Portfolio Development.[20] This would require an updated preferred portfolio to determine the volume of small-scale contributions that would result from Staff's identified post-submission changed circumstances.[21] Further, the 2023 IRP Update will not revise CEP compliance pathways that depend on multi-state protocol allocations. Yet as outlined in the Company's Round 1 reply comments, compliance with HB 2021 requires consideration of the Company's allocation of existing and new resources.[22] Revising these pathways involves several months of work, including collaborative efforts necessary to advance the CEP's pathways recommendations in the multistate allocation processes, and based on these developments, the 2025 IRP and CEP may need to consider additional compliance pathways that were initially dismissed in the 2023 CEP.

These analyses and discussions would monopolize the time of the Company's IRP and MSP teams, with updates to data, modifications to models, execution of Plexos simulations, assimilation and analysis of results, preparation of new data disk, publication of revised documents, and subsequent MSP negotiations and discussions. This would be more than just distracting and burdensome—the efforts would be redundant because the Company will address these post-submission changes in the forthcoming 2025 IRP and CEP, a process that is already focused on revising and improving the Company's planning efforts.

IRP and CEP action plans require the flexibility to adapt to unforeseen changes that may arise after submission. This approach is practical, and aligns with the Commission

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[20] *Id.* at 63.
[21] *Id.* at 56.
[22] PacifiCorp's Round 1 Reply Comments, page 31 ("Yet these protocols can only be addressed with MSP stakeholders, where Commission and Staff leadership and collaboration will be vital.").

guidance which accepts the fact that analytical precision is neither expected nor necessary for utility planning documents.[23] Moreover, the Company will address the post-submission changes in Staff's Report in the upcoming 2025 IRP and CEP cycle. In light of this, PacifiCorp respectfully requests the Commission deny any further updates, revisions, or acknowledgment procedures related to the Company's IRP and CEP, and acknowledge the 2023 IRP and CEP as submitted.

B. Alternatively, the Commission should partially acknowledge the 2023 IRP and CEP and direct the Company to address post-submission changes in its next planning cycle.

If the Commission agrees that suspension of the 2022AS RFP or stay of the OTR are relevant to the 2023 IRP and CEP, instead of requiring additional process, the Commission should simply partially acknowledge the 2023 IRP and 2023 CEP as filed.[24] Similar to past acknowledgement orders, the Commission could direct the Company to specifically address these post-submission changes in circumstances in the forthcoming 2025 IRP and CEP.[25] While partial IRP and CEP acknowledgement is not preferred, the Company notes that many of its recent IRP filings have only been partially acknowledged.[26] PacifiCorp is aware of the

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[23] LC 78, Order No. 23-004 at 2 ("The IRP process is intended to be iterative. Where weakness in the analysis or issues are identified, stakeholder participation can help identify alternatives and improvements to the action plan or analysis in the next IRP. Utilities should respond proactively to the concerns of stakeholders and consider alternatives. Ultimately, an acknowledged plan will become a working document for use by the utility, the Commission, and other interested parties in Commission proceedings."); UM 2279, Order No. 24-002 at 30 ("Planning is, by its nature, indicative and strategic, not determinative or certain, and HB 2021 places its continual progress requirements firmly within the planning context. As CEPs and IRPs are planning exercises, evaluating continual progress will similarly be directional, with the ability to look at actual performance in the next round of IRPs, CEPs, and updates and use that information to adjust forward direction and, ultimately, to inform rate case and compliance decisions.").
[24] While Staff suggests an additional process for the 2023 IRP Update and advocates for a resubmitted CEP, they also recommend partial acknowledgment of the IRP. Report at 1.
[25] *See e.g.,* LC 77, Order No 22-178 at Appendix B (directing the Company to preform various analyses in its *next* IRP cycle).
[26] *Id. at* 1 ("We acknowledge all but one set of the actions items in PacifiCorp's IRP. . . .").

regulatory risks with partial acknowledgment, and this result would be notably preferable to a second 2023 IRP and CEP resubmission and acknowledgment process.

For instance, the Commission could acknowledge the generally uncontested IRP components listed in Table 1 of Staff's Report, which includes eleven action plan items and the Company's load forecast,[27] and Staff's other recommendations within Attachment A to Staff's Report that do not require additional revisions, resubmissions, or acknowledgement processes.[28] Conversely, the Commision could agree with Staff and not acknowledge PacifiCorp's nine action plan items, the preferred portfolio, and the long-term IRP strategy identified in Table 1. Either option would avoid additional process, and any remaining concerns pertaining to post-submission changes in circumstances can be addressed in future planning proceedings.

Similarly, regarding the CEP the Commission could acknowledge Chapters II-V (regarding community engagement, CBIs, resiliency, and community-based renewable energy (CBRE)), not acknowledge Chapters VI-VIII (regarding resource planning, greenhouse gas emissions, and CEP action plan), and direct PacifiCorp to work with Staff and Stakeholders on any additional concerns from Staff's recommendation in the lead up to the 2025 CEP.

There comes a point in time when Commission acknowledgment processes need to end, and the Company and stakeholders can focus on the next planning cycle. It has been eight months since the IRP and CEP were filed (including three rounds of comments), and eleven months since the draft IRP submission. An additional acknowledgment proceeding could conceivably extend another 5-10 months. This would overlap with the 2025 IRP and CEP

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[27] Staff Report at 5.
[28] Attachment A provides additional detail on PacifiCorp's response to Staff's specific recommendations.

engagement processes, which will necessarily evaluate how the suspension of the 2022AS RFP or stay of the OTR should be considered in the 2025 IRP and CEP.

Given the current circumstances—where Staff's recommendation is not based on any actual or perceived conflict with Commission IRP or CEP regulations or guidance—PacifiCorp believes that stakeholder efforts would be more effectively directed in partial acknowledgment of the current IRP and CEP, rather than prolonging these proceedings any further.

C. If the Commission has lingering concerns, it can investigate issues from the 2023 IRP Update in the current 2025 IRP and CEP stakeholder processes, or schedule additional workshops if necessary.

The Company believes that the current 2025 IRP and CEP public input meetings will provide sufficient opportunities for stakeholder investigation of the 2023 IRP Update. In particular, the 2022 AS RFP yielded extensive insights regarding new generating assets, especially renewable and battery storage options, within PacifiCorp's service area across six states, along with the prevailing market rates for wind, solar, and battery storage. This valuable information has been integrated into the 2023 IRP Update, and over the course of the next year, the Company will use this information in collaboration with stakeholders to create its 2025 IRP and CEP.

However, should it find it necessary, the Commission could order additional workshops to address Staff's concerns with the 2023 IRP Update. This could serve as a reasonable middle-ground that responds to Staff's issues, while avoiding subsequent acknowledgment processes. Nonetheless, any such workshop should be future-oriented, narrowly focused, time-constrained, and concentrate specifically on how the provisions of the 2023 IRP Update could influence the upcoming 2025 IRP and CEP.

Whatever approach the Commission takes, it should salvage efforts from the current acknowledgment process, and avoid a broad update of the 2023 CEP. This is underscored by the fact that Staff's recommendations are not based on any actual or perceived conflict with the Commission's IRP or CEP regulations or guidance, but rather on the general proposition that post-submission events *require* the Commission to conclude that the plans are not in the public interest under ORS 469A.420(2).

Respectfully, while the Commission's public interest powers are broad, that statute cannot bear the weight that Staff places upon it. Especially when the recommendation would reject the Company's multi-year IRP and CEP planning efforts, and require material additional processes.

III. CONCLUSION

The Commission should acknowledge, either in full or in part, PacifiCorp's 2023 IRP and CEP as originally submitted, and address any remaining issues in the ongoing 2025 CEP and IRP stakeholder processes.

Respectfully submitted February 14, 2024,

/s/ Joe Dallas
Joe Dallas, OSB No. 230620
825 NE Multnomah Street, Suite 2000
Portland, OR 97232
(503) 813-5701
joseph.dallas@pacificorp.com

/s/ Zachary Rogala
Zachary Rogala, OSB No. 222814
1407 W North Temple, Suite 310
Salt Lake City, Utah
(435) 319-5010
zachary.rogala@pacificorp.com
PacifiCorp Attorneys

IV. APPENDIX A: Summary of Responses to Staff Recommendations 1-13

Staff Rec. No.	Staff Recommendation	PacifiCorp Response
1	Do not acknowledge the IRP action plan elements 2b and 2c, the IRP's preferred portfolio, or the IRP's long-term plan.	**Disagree -** Staff's recommendation is based on the flawed premise that an IRP and CEP should be judged not on its reasonableness at the time of filing, but rather as if it were a continuously updated snapshot of resource planning, with post-submission changes in external circumstances constituting a basis for additional processes and non-acknowledgment. The Commission should recognize that these documents, while perhaps not valid into perpetuity, were considered reasonable given the circumstances at the time of their submission. This approach respects the inherent constraints of IRP or CEP projections, which rely on set planning assumptions and methodologies, or a "freeze," to facilitate the lengthy process of modeling, computing, and detailed post-modeling analysis, all following an extensive period of public engagement. The Company asserts that changes in external circumstances after submission do not justify non-acknowledgment or additional processes. Staff concerns about post-submission changes in external circumstances will be addressed in the 2025 IRP and CEP and through associated public engagement. In the alternative, the Commission should partially acknowledge the 2023 IRP and CEP as submitted, or schedule a workshop to investigate additional issues in the 2025 IRP and CEP.
2	Direct PacifiCorp to seek acknowledgement of a revised Preferred Portfolio and Action Plan in the planned April 2024 IRP Update	**Disagree -** See PacifiCorp's response to Staff Recommendation 1. Furthermore, Staff's recommended additional process will further exhaust the limited resources of the Commission, stakeholders, and the Company, diverting attention from the development of the 2025 IRP and CEP to an additional, onerous, and unnecessary acknowledgment process for the 2023 IRP Update. As explained in Section 2A of the brief, the IRP Update serves a fundamentally different purpose than the IRP itself, and the Company is not requesting acknowledgement of the IRP Update as contemplated in OAR 860-027-0440. Staff concerns about post-submission changes in external circumstances will be addressed in the 2025 IRP and CEP and through associated public engagement. In the

		alternative, the Commission should partially acknowledge the 2023 IRP and CEP as submitted, or schedule a workshop to investigate additional issues in the 2025 IRP and CEP.
3	Do not acknowledge the LC 82 CEP and direct PacifiCorp to revise and resubmit the CEP with its April 2024 IRP Update.	**Disagree -** See PacifiCorp's response to Staff Recommendation 1. Furthermore, Staff's recommended additional process will further exhaust the limited resources of the Commission, stakeholders, and the Company, diverting attention from the development of the 2025 IRP and CEP to an additional, onerous, and unnecessary acknowledgment process for a resubmitted CEP. This is in addition to the minimum 4-6 months it would take to incorporate results from the 2023 IRP Update into the 2023 CEP. Staff's concerns about post-submission changes in external circumstances will be addressed in the 2025 IRP and CEP and through associated public engagement. In the alternative, the Commission should partially acknowledge the 2023 IRP and CEP as submitted, or schedule a workshop to investigate additional issues in the 2025 IRP and CEP.
4	Do not acknowledge Action Plan items 1h and 2a.	**Disagree -** See PacifiCorp's response to Staff Recommendation 1.
5	Direct PacifiCorp to develop proposals for the use of CBIs in scoring in the SSR RFP, in the design of the CBRE pilot, and in scoring for the next all-source RFP	**Disagree -** Staff's recommendations are outside the scope of the 2023 IRP and CEP, prohibited by Commission regulations, unreasonable, or otherwise seek to apply the Commission's competitive bidding requirements to an RFP that is not subject to those regulations.
6	Direct PacifiCorp to provide baseline metrics prior to filing its next IRP/CEP Update. If PacifiCorp cannot complete this effort by this timeline, PacifiCorp should provide a detailed status update and explanation of how it will ensure that remaining issues are resolved as soon as practicable.	**Disagree -** PacifiCorp developed baseline metrics to understand the current state within its service regions to assess the progress of CBIs in the Oregon 2023 Clean Energy Plan filing. PacifiCorp has identified six CBIs and 14 proposed metrics for the Company's Clean Energy Plan. PacifiCorp noted these other metrics in the CEP filing: • ENS reliability metrics for the portfolios analyzed in the CEP. • Oregon-allocated CO_2 emissions and Emissions Reductions, for its CEP • Metric for percent renewables/non-emitting resource mix. • Deterministic cost and stochastic risk metrics for each portfolio related to PVRR and PVRR(d)

		PacifiCorp considers its CBIs and metrics as interim, meaning they will adapt over time. The continued development and refinement of PacifiCorp's CBIs will leverage continued stakeholder engagement and input. Resiliency metrics are also under development. Stakeholder input will be critical to formalizing the CBIs and metrics.
7	Direct PacifiCorp to proceed with the CBRE Grant Pilot, contingent on the Company seeking feedback from the CBIAG in Q1 2024.	**Agree -** PacifiCorp will proceed with the CBRE Grant Pilot, contingent on the Company seeking feedback from the Community Benefits and Impacts Advisory Group (CBIAG) in Q1 2024.
8	Direct PacifiCorp to work collaboratively with Staff, stakeholders, peer utilities, and the CBIAGs in a dedicated working group to develop clear, actionable improvements to community and stakeholder engagement in subsequent IRP/CEPs by December 31, 2024. If PacifiCorp cannot complete this effort by this timeline, PacifiCorp should provide a detailed status update and explanation of how it will ensure that remaining issues are resolved as soon as practicable, inclusive of the perspectives of peer utilities and the utilities' CBIAGs.	**Agree -** PacifiCorp currently works collaboratively with staff, stakeholders, peer utilities, and the CBIAGs in a dedicated working group and plans to continue to do so. The dedicated working group will develop clear, actionable improvements to community and stakeholder engagement in subsequent IRP/CEPs by December 31, 2024. If PacifiCorp cannot complete this effort by this timeline, PacifiCorp will provide a detailed status update and explanation of how it will ensure that remaining issues are resolved as soon as practicable, inclusive of the perspectives of peer utilities and the utilities' CBIAGs.
9	The SSR RFP incorporates into project selection criteria appropriate elements of the current Resiliency Analysis Framework and the CBRE Pilot be designed to promote resiliency related factors	**Disagree -** See PacifiCorp's response to Staff Recommendation 5.

10	Direct PacifiCorp to fix any confirmed analytical errors in the calculation or application of granularity adjustments.	**Disagree -** See PacifiCorp's response to Staff Recommendation 1.
11	Direct PacifiCorp to update Action Plan Item 1g to reflect actual events since the IRP/CEP was filed in May 2023	**Disagree -** See PacifiCorp's response to Staff Recommendation 1.
12	Acknowledge Action Item 4a to acquire cost-effective energy efficiency and demand response resources.	**Agree** - The Company agrees with Staff's recommendation to acknowledge action items 4a to acquire cost-effective energy efficiency and demand response resources.
13	Acknowledge updated avoided costs from the 2023 IRP planning and direct PacifiCorp to work with Staff and Stakeholders to update avoided costs for use in UM 1893 considering HB 2021 constraints.	**Agree -** The Company supports the use of the most recent data available whenever possible and will provide energy efficiency avoided cost input data in UM 1893 as directed. The Company would note that incorporating 2023 IRP and CEP results into energy efficiency avoided cost inputs is not straightforward and will work with Staff and Stakeholders to reflect HB 2021 constraints.