



825 NE Multnomah Street, Suite 2000
Portland, Oregon 97232

February 10, 2023

VIA ELECTRONIC FILING

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

RE: UE 407—Responses to ALJ Bench Request Nos. 1–3

Pursuant to Administrative Law Judge (ALJ) Mapes' Bench Request dated January 27, 2023, enclosed for filing in this docket is the response of PacifiCorp, Staff for the Oregon Public Utility Commission, and the Alliance of Western Energy Consumers (together the Joint Stipulating Parties) to ALJ Bench Request Nos. 1–3.

Please direct any questions regarding this filing to Cathie Allen at (503) 813-5934.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew McVee".

Matthew McVee
Vice President, Regulatory Policy and Operations

Enclosures

ALJ Bench Request 1

On December 29, 2022, PacifiCorp, dba Pacific Power, Staff for the Oregon Public Utility Commission, and the Alliance of Western Energy Consumers (collectively the Stipulating Parties) filed a stipulation resolving all issues in this proceeding. These questions are directed to the Stipulating Parties. Should it wish, the Oregon Citizens' Utility Board, which objected to the stipulation, may also submit replies explaining its understanding of the stipulation on the date given.

Section 16 of the stipulation concerns cost recovery, stating that "expenditures associated with the WPP remain subject to a prudence review." Section 18 provides that "[r]ates for this WPP Adjustment mechanism will be effective approximately 120 days after PacifiCorp submits its annual filing".

Given this, please explain the process through which the Stipulating Parties envision prudence review will be conducted each year?

Response to ALJ Bench Request 1

The Joint Stipulating Parties anticipate that PacifiCorp will make an advice filing on July 1, 2023 and include the detailed supporting information that is specified in ¶21 of the Stipulation. The proposed rate effective date of this filing will be 120 days from the filing of that advice letter. The Joint Stipulating Parties are expecting that they will have sufficient time to review PacifiCorp's filing, but they may seek to suspend the advice filing if more time is required. For example, the Company will be filing wildfire plans through a separate process, and analyzed by an independent expert, that should aid in the review process. Discovery during that analysis may result in recommendations regarding plans which could impact the advice filing's judgement regarding prudence. Also, in that review, Public Utility Commission of Oregon (OPUC) staff envisions information requests would be developed in concert with the independent expert regarding whether the measures proposed by the Company are reasonable given the wildfire risks posed. As with any advice filing, if any Party has a concern or would like to contest an issue of prudence, or needs additional time to review PacifiCorp's filing, they may move to suspend the advice filing or seek a contested case consistent with ORS 757.215 and the OPUC's existing rules. Otherwise, the Joint Stipulating Parties anticipate that OPUC staff will submit a recommendation regarding approval of the advice filing at a public meeting prior to the rate effective date in the advice filing.

ALJ Bench Request 2

On December 29, 2022, PacifiCorp, dba Pacific Power, Staff for the Oregon Public Utility Commission, and the Alliance of Western Energy Consumers (collectively the Stipulating Parties) filed a stipulation resolving all issues in this proceeding. These questions are directed to the Stipulating Parties. Should it wish, the Oregon Citizens' Utility Board, which objected to the stipulation, may also submit replies explaining its understanding of the stipulation on the date given.

Section 16 of the stipulation concerns cost recovery, stating that "expenditures associated with the WPP remain subject to a prudence review." Section 18 provides that "[r]ates for this WPP Adjustment mechanism will be effective approximately 120 days after PacifiCorp submits its annual filing".

Please specifically lay out the division of time within that 120-day period that the Stipulating Parties envision will allow for review of the Company's filing, discovery, filing of any protests, and Commission review.

Response to ALJ Bench Request 2

As noted in the Joint Stipulating Parties' response to ALJ Bench Request 1, the Joint Stipulating Parties envision this review proceeding like review of any other advice filing except there will be 120 days instead of 30 days between the filing of the advice letter and the proposed rate effective date in the advice letter. The Public Utility Commission of Oregon (OPUC) staff anticipates that the first 70 days would be used for review and analysis by parties, the next 20 days for developing review write-up and documentation, and the next 14 days for any needed discussion among the parties, and the OPUC staff recommendation would be presented at a public meeting for OPUC review. As noted above, if there are contested issues, or if more time is required, then a filing would be made to suspend the filing for further review.

UE 407 / Joint Stipulating Parties

February 10, 2023

ALJ Bench Request 3

ALJ Bench Request 3

On December 29, 2022, PacifiCorp, dba Pacific Power, Staff for the Oregon Public Utility Commission, and the Alliance of Western Energy Consumers (collectively the Stipulating Parties) filed a stipulation resolving all issues in this proceeding. These questions are directed to the Stipulating Parties. Should it wish, the Oregon Citizens' Utility Board, which objected to the stipulation, may also submit replies explaining its understanding of the stipulation on the date given.

Section 16 of the stipulation concerns cost recovery, stating that "expenditures associated with the WPP remain subject to a prudence review." Section 18 provides that "[r]ates for this WPP Adjustment mechanism will be effective approximately 120 days after PacifiCorp submits its annual filing".

Does the stipulation allow for full litigation of particular prudence issues where necessary? If so, how?

Response to ALJ Bench Request 3

Please refer to the Joint Stipulating Parties' response to ALJ Bench Request 1 and ALJ Bench Request 2.

Despite PacifiCorp's diligent efforts, certain information protected from disclosure by the attorney-client privilege or other applicable privileges or law may have been included in its responses to these data requests. PacifiCorp did not intend to waive any applicable privileges or rights by the inadvertent disclosure of protected information, and PacifiCorp reserves its right to request the return or destruction of any privileged or protected materials that may have been inadvertently disclosed. Please inform PacifiCorp immediately if you become aware of any inadvertently disclosed information.