

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UE 390

In the Matter of

PACIFICORP, dba PACIFIC POWER,  
2022 Transition Adjustment Mechanism.

OFFICIAL NOTICE TAKEN

On August 5, 2021, Commissioner Tawney communicated with Rick Link of PacifiCorp, dba Pacific Power, regarding PacifiCorp's modeling of coal plant dispatch in docket UM 2059 compared to the levels seen in PacifiCorp's Transition Adjustment Mechanism (TAM) power cost proceedings. The discussion occurs from minutes 2:22 to 2:29 (time stamp of 12:03 pm to 12:10 pm) and can be accessed on the Public Meeting Archive on the Commission's website.

The Commission's rules define *ex parte* communications with three criteria: communication is made to an ALJ or Commissioner outside the presence of all parties; the communication is made without notice or opportunity for rebuttal; and the communication relates to the merits of an issue in the proceedings. OAR 860-001-0340(2). I find this instance of communication does not match the third requirement, because the discussion was general and oriented toward post-2025 future power cost proceedings. While I do not deem the message to be an *ex parte* communication, I will take official notice of the message to ensure transparency and that all parties have access to the same information. OAR 860-001-0460.

Dated this 6<sup>th</sup> day of August, 2021, at Salem, Oregon.



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Sarah Rowe  
Administrative Law Judge