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December 2, 2020

Via Electronic Filing

Public Utility Commission of Oregon
Attn: Filing Center
201 High St. SE, Suite 100
Salem OR 97301

Re: In the Matter of PACIFICORP, dba PACIFIC POWER
Request for a General Rate Revision.
Docket No. UE 374

Dear Filing Center:

Please find enclosed the redacted Reply of the Alliance of Western Energy Consumers (“AWEC”) to PacifiCorp Bench Response 3.1 in the above-referenced docket.

Please note that AWEC’s Reply contains Protected Information that is being handled in accordance with Order No. 20-040. The confidential version of AWEC’s Reply has been encrypted with 7-zip software and is being transmitted electronically to the Commission, per Order No. 20-088.

Thank you for your assistance. If you have any questions, please do not hesitate to call.

Sincerely,

/s/ Jesse O. Gorsuch
Jesse O. Gorsuch

Enclosure

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the **Confidential Reply of the Alliance of Western Energy Consumers to PacifiCorp Bench Response 3.1** upon the parties shown below by sharing copies by electronic mail, per Order No. 20-088.

Dated this 2nd day of December, 2020.

Sincerely,

/s/ Jesse O. Gorsuch

Jesse O. Gorsuch

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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 374

In the Matter of)	
)	REPLY OF THE ALLIANCE OF
PACIFICORP, dba PACIFIC POWER,)	WESTERN ENERGY CONSUMERS TO
)	PACIFICORP BENCH RESPONSE 3.1
Request for a General Rate Revision.)	(REDACTED)
_____)	

Pursuant to the Administrative Law Judge’s November 18, 2020 Bench Request, the Alliance of Western Energy Consumers (“AWEC”) files this Reply to PacifiCorp’s (or “Company”) Bench Response 3.1. While AWEC does not dispute the Company’s breakdown of the cost increases associated with delayed closure of the Deer Creek Mine, PacifiCorp’s reply does not provide a complete picture of the causes of this delay.

PacifiCorp states that it “submitted the original bulkhead application to the Mine Safety and Health Administration (MSHA) in January 2015. The Company interfaced with MSHA and other governmental agencies through March 2016 seeking to obtain approval to construct bulkheads in the mine. Prior to the August 2015 Gold King mine spill, bulkhead installations had been approved as an acceptable method for impounding water in underground mining operations. On April 12, 2016, MSHA and the Department of Oil, Gas and Mining notified the Company that in-mine bulkheads would not be approved.”^{1/}

^{1/} PacifiCorp Bench Response at 1.

This is accurate, but materially incomplete. Most importantly, PacifiCorp fails to mention that the MSHA had previously denied the Company's request [REDACTED] on May 15, 2015, prior to the Gold King mine spill.^{2/} This denial letter [REDACTED]

[REDACTED].^{3/} The May 15, 2015 denial letter was then followed by a second denial letter on August 21, 2015 [REDACTED].^{4/} Thus, while the ultimate installation of a drainage pipeline to the Huntington Plant modestly increased closure costs,^{5/} the vast majority of these increased costs was due to the delay in closure, and associated costs, [REDACTED]

Dated this 2nd day of December, 2020.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ Tyler C. Pepple

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^{2/} Exh. AWEC/705 at 2-5

^{3/} Id. at 4.

^{4/} Id. at 6-10.

^{5/} PacifiCorp Bench Response at 2.