



825 NE Multnomah Street, Suite 2000
Portland, Oregon 97232

October 6, 2022

VIA ELECTRONIC FILING

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

Re: UE 399—PacifiCorp's Motion to Modify Procedural Schedule

PacifiCorp d/b/a Pacific Power encloses for filing its motion to modify the procedural schedule in the above-referenced docket.

Please direct any informal inquiries regarding this filing to Cathie Allen, Regulatory Affairs Managers, at (503) 813-5934.

Sincerely,

Shelley McCoy
Director, Regulation

Enclosure

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 399

In the Matter of

PACIFICORP d/b/a PACIFIC POWER,

Application for a General Rate Revision

**MOTION TO MODIFY
PROCEDURAL SCHEDULE**

INTRODUCTION

In accordance with OAR 860-001-0420, PacifiCorp d/b/a Pacific Power (PacifiCorp or Company) respectfully requests the Public Utility Commission of Oregon (Commission) issue an order to modify the procedural schedule in this docket. PacifiCorp’s First, Second, and Third Partial Stipulations have been filed in this proceeding and remain unopposed by any party. PacifiCorp’s Fourth Partial Stipulation concerns only the proposed Accelerated Commitment Tariff (ACT) and NewSun Energy, LLC (NewSun) has indicated their opposition. In order to ensure that PacifiCorp is able to implement rates on January 1, 2023, under the original suspension period for this general rate proceeding, PacifiCorp seeks consideration of the Fourth Partial Stipulation on a separate schedule from consideration of the First, Second, and Third Partial Stipulations.

Commission Staff, the Oregon Citizens’ Utility Board (CUB), the Alliance of Western Energy Consumers (AWEC), Calpine Energy Solutions, LLC (Calpine Solutions), Fred Meyer and Quality Food Centers (Fred Meyer), Northwest and Intermountain Power Producers Coalition (NIPPC), Small Business Utility Advocates (SBUA), Vitesse, LLC (Vitesse), and Walmart Inc. (Walmart) (collectively, Parties) have indicated that the schedule

proposed in this motion is acceptable. However, it is PacifiCorp's understanding that the schedule is not supported by NewSun Energy, LLC.

BACKGROUND

PacifiCorp has previously filed the First, Second, and Third Partial Stipulations to resolve this proceeding. Together, those stipulations resolve PacifiCorp's proposed revenue requirement and leave only two remaining issues: a change Calpine Solutions proposed to PacifiCorp's Direct Access program,¹ and PacifiCorp's proposed Accelerated Commitment Tariff (ACT). None of the Parties in this proceeding oppose the First, Second, or Third Partial Stipulations. Additionally, PacifiCorp has worked with Parties, and no Party feels a hearing is necessary on Calpine Solutions' issue regarding PacifiCorp's Direct Access program on the condition that certain uncontested exhibits are admitted into the record.

The Fourth Partial Stipulation was filed on September 30, 2022. On the afternoon of September 30, 2022, NewSun indicated to the Company that they would be opposing PacifiCorp's Fourth Partial Stipulation and requesting a hearing. Under the schedule that is currently in place, PacifiCorp has requested a rate effective date of January 1, 2023. Since the ACT does not impact PacifiCorp's settled revenue requirement, the Company would request that the Commission issue a procedural order setting a separate schedule for the Fourth Partial Stipulation. Additionally, PacifiCorp would propose that the rate effective date of the ACT (Schedule 273) continue to be suspended to February 15, 2023.

¹ Specifically, as mentioned in the previous motion to modify the procedural schedule, this issue specifically concerns whether a direct access customer participating in a three-year opt-out program can switch to the five-year opt-out program prior to the end of the customer's three-year opt-out term.

PROPOSED PROCEDURAL SCHEDULE

Based on additional discussions, the Parties have developed the following procedural schedule for the consideration of the First, Second, and Third Partial Stipulations and the remaining Direct Access contested issue.

Event	Date
Cross-Examination Exhibits to be Filed	October 7, 2022
Simultaneous Opening Briefs	October 13, 2022
Simultaneous Reply Briefs	October 20, 2022
Target Commission Order Date	December 16, 2022

The Parties would also propose the following schedule for consideration of the Fourth Partial Stipulation. PacifiCorp has worked with the parties to develop this procedural schedule, but has been unable to come to an agreement with NewSun. NewSun has indicated a desire for a longer procedural schedule. However, the proposed schedule already stretches a possible rate effective date on the ACT to six weeks beyond the statutory suspension period under ORS 757.215. PacifiCorp does not believe it is appropriate to continue to delay this proceeding due to the constraints of selecting a resource through the 2022 All-source RFP. As Commission Staff noted in their testimony on how the 2022 All-source RFP could be used to identify resources, “negotiations and Commission approvals would need to be completed prior to the bid validity date on November 21, 2023.”² After Commission approval of the ACT, PacifiCorp will need to solicit interest from customers to right size program resources, identify potential resources and engage in negotiations with developers, and complete the process for receiving a no-action letter from the Securities and Exchange

² Staff/2200, Bolton/13.

Commission as identified in the filed Fourth Partial Stipulation. Based on these administrative milestones, additional delays in the procedural schedule will prevent PacifiCorp from being able to use the 2022 All-source RFP to select resources for the ACT. Further, the Fourth Partial Stipulation resolves the issues raised in testimony filed by parties to the proceeding on the proposed ACT. NewSun did not file any testimony on the ACT in the proceeding to respond to either the Company’s original proposal or suggested modifications from the parties. PacifiCorp has contacted Commission Staff, CUB, AWEC, Calpine Solutions, Fred Meyer, NIPPC, SBUA, Vitesse, and Walmart and those parties do not oppose the schedule below.

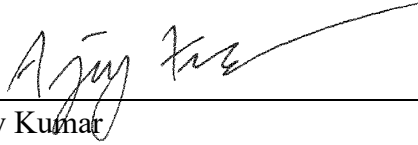
Event	Date
Objection to the Stipulation	October 17, 2022 ³
Stipulating Parties Responsive Testimony to the Objections	November 7, 2022
Cross-Examination Statements and Cross-Examination Exhibits	November 10, 2022
Possible Hearing Date ⁴	November 14-17, 2022 ⁵
Simultaneous Opening Briefs	December 8, 2022
Simultaneous Reply Briefs	December 15, 2022
Target Commission Order Date	February 1, 2023

³ It is the Company’s understanding that NewSun may be requesting additional time for the filing of objections to the stipulation. In the event that the Commission grants that request, the Parties request that the Commission retain the remaining dates for the procedural schedule as identified in this motion.

⁴ Parties anticipate the hearing lasting one day, but are proposing this range for the Commission to choose a single date.

⁵ Based on conversations with the Parties, there is a preference for a hearing on November 14th or 16th.

Respectfully submitted this 6th day of October, 2022.



Ajay Kumar
Senior Attorney
(503) 813-5161
Ajay.kumar@pacificorp.com

Carla Scarsella
Deputy General Counsel
(503) 813-6338
carla.scarsella@pacificorp.com

825 NE Multnomah St, Suite 2000
Portland, OR 97232

Attorneys for PacifiCorp