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March 30, 2022

## *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 ALLIANCE OF WESTERN ENERGY CONSUMERS,  
Application for an Accounting Order Requiring PacifiCorp to Defer Fly  
Ash Revenues.  
**Docket No. UM 2201**; and  
In the Matter of PACIFICORP d/b/a PACIFIC POWER,  
Request for a General Rate Revision.  
**Docket No. UE 399**

Dear Filing Center:

Please find enclosed the Motion to Consolidate of the Alliance of Western Energy Consumers in the above-referenced proceedings.

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

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UM 2201  
UE 394**

In the Matter of	)	
	)	
ALLIANCE OF WESTERN ENERGY	)	
CONSUMERS,	)	
	)	
Application for an Accounting Order Requiring	)	MOTION TO CONSOLIDATE OF THE
PacifiCorp to Defer Fly Ash Revenues.	)	ALLIANCE OF WESTERN ENERGY
	)	CONSUMERS
<hr/>		
In the Matter of	)	
	)	
PACIFICORP d/b/a PACIFIC POWER,	)	
	)	
Request for a General Rate Revision.	)	

**I. INTRODUCTION**

Pursuant to OAR § 860-001-0600 and OAR § 860-001-0420, the Alliance of Western Energy Consumers (“AWEC”) respectfully request a ruling from the Oregon Public Utility Commission (“Commission”) consolidating AWEC’s Application for an Accounting Order Requiring PacifiCorp d/b/a/ Pacific Power (“PacifiCorp” or “Company”) to Defer Fly Ash Revenues (“Application”), docketed as UM 2201, with Docket No. UE 399, PacifiCorp’s 2023 general rate case. AWEC filed its Application on November 2, 2021. PacifiCorp filed its 2023 general rate case on March 1, 2022. On March 22, 2022, PacifiCorp filed a Motion to Consolidate Docket Nos. UM 1964, UM 2134, UM 2142, UM 2167, UM 2185 and UM 2186 with the current matter, Docket No. 399. AWEC does not oppose consolidation of these Proceedings, on condition of consolidation of Docket No. UM 2201 with Docket No. UE 399, as

requested herein. AWEC has discussed this Motion to Consolidate (“Motion”) with PacifiCorp and is authorized to represent that PacifiCorp does not oppose the Motion, but reserves all its rights to contest the appropriateness of the underlying deferral in the general rate case.

## II. ARGUMENT

The Commission has previously acted upon its discretion to consolidate cases pursuant to OAR § 860-001-0600 “when consolidation was efficient and logical and when consolidation would clarify and simplify resolution of issues.”<sup>1</sup> Consolidation of Docket No. UM 2201 and UE 399 is efficient, logical, and will further the public interest because it will allow the Commission to resolve issues surrounding the Fly Ash deferral at the same time that the Commission determines PacifiCorp’s overall rates in UE 399.

Fly ash is a byproduct of the combustion of coal and is used in construction to develop concrete, bricks, and other building supply products. PacifiCorp produces and sells fly ash “mainly from the Jim Bridger plant, with small amounts being sold from Naughton, Craig, and previously, Cholla.”<sup>2</sup> In Docket No. UM 2201, AWEC requested an Order from the Commission requiring PacifiCorp to defer from the date of the Application the revenue generated by the Company’s increased fly ash sales. As set forth in AWEC’s Application, deferral is necessary in order for PacifiCorp to properly track and preserve the fly ash revenue for later ratemaking treatment to the benefit of customers.

Additionally, as a result of Docket No. UE 399, the Commission will determine PacifiCorp rates that are scheduled to go into effect January 1, 2023. Included in PacifiCorp’s

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<sup>1</sup> Docket Nos. UP 415 and UE 219, Ruling (Jan. 26, 2021).

<sup>2</sup> Docket No. UE 390, Order No. 21-379, at 34 (Nov. 1, 2021).

2023 general rate case is a revenue adjustment associated with fly ash revenue.<sup>3</sup> The fly ash revenue adjustment “annualizes the increase in fly ash sales revenues in the Base Period to reflect Test Period levels consistent with new contract terms. Plants with ash sales revenues in the Base Period are Jim Bridger, Naughton, Craig, and Cholla.”<sup>4</sup> As PacifiCorp further explained, “[t]he recently executed contract for fly ash from Jim Bridger plant resulted in an increase to ash sales revenues starting in October 2020. This adjustment normalizes the revenue to an annualized basis on the new contract terms.”<sup>5</sup> As such, issues related to PacifiCorp’s fly ash revenues are included in the Company’s 2023 general rate case. Consolidation of Docket Nos. UM 2201 and UE 399 is logical given the interconnectedness of the two proceedings and will support judicial efficiency.

### III. CONCLUSION

Consolidation of Docket Nos. UM 2201 and UE 399 is efficient and logical. In furtherance of the public interest, AWEC respectfully requests that the Commission consolidate Docket No. UM 2201 with Docket No. UE 399.

Dated this 30th day of March, 2022.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

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<sup>3</sup> See Docket No. UE 399, PAC/1000 Cheung/16:13; 17:1-5.

<sup>4</sup> *Id.* at PAC/1000 Cheung/17:2-5.

<sup>5</sup> *Id.* at Exhibit PAC/1002 Cheung/65.

/s/ Brent L. Coleman

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