

1                                   **BEFORE THE PUBLIC UTILITY COMMISSION**  
2                                   **OF OREGON**

3                                   **UE 356**

4 In the Matter of  
5 PACIFICORP, dba PACIFIC POWER  
6 2020 Transition Adjustment Mechanism.

NOTICE OF EX PARTE  
COMMUNICATIONS

7  
8           Pursuant to OAR 860-001-0340, Staff discloses the attached ex part communication.

9   On July 31, 2019 at 12:18 PM, Scott Gibbens and I received an e-mail forwarding a draft bench  
10 request from Administrative Law Judge Sarah Rowe to John Crider, in which Judge Rowe asked  
11 John Crider for feedback on the bench requests prior to issuance.

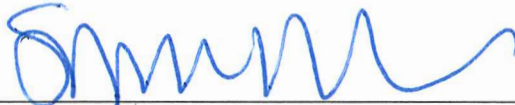
12       As context, at about 12:15 pm on July 31, 2019, Scott Gibbens and I called Jason  
13 Eisdorfer to discuss PacifiCorp's settlement proposal in UE 356, in order to relay Staff's position  
14 for a settlement call scheduled for 2 pm with intervenors and then 3 pm call with all parties. At  
15 the beginning of the 12:15 call, Jason Eisdorfer asked whether the bench requests issued in this  
16 case impacted whether or not Staff should settle the case. His question was based on a prior e-  
17 mail from John Crider indicating that the bench requests had been issued and asking whether  
18 they would materially affect Staff's position on the settlement proposal. Scott and I indicated  
19 that we had not seen a bench request, at which time, Jason Eisdorfer asked John Crider to e-mail  
20 the bench requests while we were still on the phone call. Upon receipt from John Crider, Jason  
21 Eisdorfer immediately forwarded the e-mail to Scott and me, again while we continued the  
22 phone conversation. After subsequently reviewing the body of John Crider's e-mail forwarding  
23 the bench requests to Jason, it became apparent that the prior statement that they had been issued  
24 was made in error and that the bench requests had not been formally issued. Staff did not  
25 comment on the draft bench requests.

1 According to the body of Judge Rowe's e-mail, her intent was to issue the bench requests  
2 Friday afternoon. Staff management, having not previously received draft requests for review,  
3 was confused and as to whether the draft bench request had already been issued. At the time that  
4 the e-mail containing the bench requests was forwarded, it was unknown to Jason Eisdorfer,  
5 Scott Gibbens or myself that the bench requests had not been formally issued in the docket.  
6 Because Scott Gibbens is a testifying witness and I am assigned Staff counsel, we have  
7 determined that the bench requests constitute an ex parte contact, and are subject to notice and  
8 opportunity to comment to the parties.

9  
10 DATED this 6th day of August 2019.

11 Respectfully submitted,

12 ELLEN F. ROSENBLUM  
13 Attorney General

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15 Sommer Moser, OSB # 105260  
16 Assistant Attorney General  
17 Of Attorneys for Staff of the Public Utility  
18 Commission of Oregon  
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## Moser Sommer

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**From:** EISDORFER Jason <jason.eisdorfer@state.or.us>  
**Sent:** Wednesday, July 31, 2019 12:18 PM  
**To:** GIBBENS Scott; MOSER Sommer  
**Subject:** FW: TAM draft bench request  
**Attachments:** bench requests draft 7-31 10 am.docx

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UE 356

In the Matter of

PACIFICORP, dba PACIFIC POWER,

2020 Transition Adjustment Mechanism.

BENCH REQUEST

The below questions are directed to PacifiCorp, dba Pacific Power. PacifiCorp is directed to file responses to the questions by close of business on August 16, 2019. The parties may file replies by close of business on August 23, 2019.

**Coal Expenses:**

1. In the 2018 Transition Adjustment Mechanism (TAM), PacifiCorp produced a table showing all coal plant outages for 2016 (see docket UE 323, Staff/204; Kaufman/1), and in this proceeding the same table has been updated with information for 2017 and 2018, shown in Staff Exhibit 303. Please provide a narrative explanation of the confidential table in Staff Exhibit 303. Please explain the sixth column, and whether it is based on actual or assumed capacity factors. Please explain why certain coal units are listed for each year, and whether all units that are allowed to economically cycle are doing so in actual operations. Please also explain how the modeling of economic cycling in the TAM differs from the outages in actual operations.
2. Please compare the actual Jim Bridger coal burn level in 2018 and 2019 (if available) to the forecast levels in the 2019 TAM. A specific example of this information is in docket UE 339, PAC/204, Ralston/7, Table 1. As in the example, please separate out the coal amounts for each of the mines/fuel sources. Please explain how the actual tons consumed correspond to the minimum take requirement for one of the sources.
3. Please explain the cost of supplemental coal shown in PAC/200, Ralston/6, and the range in tons for which that price is available. Please explain how the price of Bridger supplemental coal was compared to the price of Black Butte coal in the Update to the Long-Term Fuel Supply Plan for the Jim Bridger Plant, PAC/201.
4. Please further explain the environmental shortfall payment for Naughton described at PAC/200, Ralston/8-9. For example, please describe whether the amounts



shown in Confidential Table 4 for 2019 and 2020 reflect one lump sum for reducing the annual minimum take-or-pay quantity, or whether there will be another environmental shortfall payment for the 2020-2021 contract year.

5. Please calculate the energy that would be generated at coal units with 2020 contractual minimum take volumes if only the minimum take coal amounts are consumed, and estimate the corresponding capacity factors based on that amount. Please compare the 2018 actual capacity factors to the forecast capacity factors based on minimum take amounts in the coal supply agreements.

**Energy Imbalance Market (EIM):**

1. Please provide a summary of the monthly Energy Imbalance Market (EIM) increments and decrements for each of PacifiCorp's participating units in 2018. Please provide this information in MWhs, separating out increments and decrements (do not net together) for each month. An example is in the 2017 TAM, docket UE 307, Staff Exhibit 105 "Plants Serving the EIM Transfer" but this format would need to be expanded to separately show increments and decrements. The dollar costs do not need to be included.
  - a. Please also aggregate this information to provide a summary, narrative description. For example, in the first months of EIM operation, PacifiCorp summarized EIM transfers by stating "EIM transfers to California have averaged 75 MW to 125 MW an hour in the first couple months of EIM operation." 2019 TAM, docket UE 339, AWEC/201 page 9.
2. Also in PacifiCorp's first EIM presentation, the company explained that "CAISO does not reserve transmission south of Malin for utilization by EIM. During times where there is day-ahead Malin congestion, south of Malin transmission is unlikely to be available for EIM." 2019 TAM, docket UE 339, AWEC/201 page 8. Please describe CAISO's current approach for EIM transmission south of Malin. Please also describe how PacifiCorp adjusts its EIM transmission to align with transmission availability in California. If south of Malin is no longer an issue because, for example most transfers are flowing from California into Nevada, then please explain the current flows and PacifiCorp's transmission arrangements.

Dated this \_\_\_\_th day of \_\_\_\_\_, 2019 at Salem, Oregon.

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Sarah Rowe  
Administrative Law Judge