



August 24, 2021

*Via Electronic Filing*

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

**Re: In the Matter of PacifiCorp, dba Pacific Power, 2022 Transition Adjustment Mechanism (Docket No. UE 390)**

Enclosed please find the Amended Sierra Club Cross-Examination Exhibits for filing in the above-captioned docket. As Sierra Club indicated in footnote 2 of our August 23, 2021 Cross-Examination Exhibits filing, PacifiCorp had not yet provided responses to Sierra Club's Sixth Set of Data Requests. This amended filing updates Sierra Club/304 to include Sierra Club 6.1 and adds Exhibits Sierra Club/305 and Sierra Club/306 (Sierra Club 6.2 and 6.3 respectively). Exhibits Sierra Club/300-303 remain unchanged. The confidential version of the exhibits is being provided electronically to each party eligible to receive protected information under Order No. 16-128 via encrypted password protected .zip folders, consistent with Order No. 20-088.

If you have any questions or require any additional information, please do not hesitate to contact me.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "AMB", is positioned above the typed name.

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**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

In the Matter of

PACIFICORP d/b/a PACIFIC POWER,  
2022 Transition Adjustment Mechanism

Docket UE 390

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24<sup>th</sup> day of August, 2021, I have served true and correct copies of the Amended Sierra Club Confidential Cross-Examination Exhibits upon all eligible party representatives electronically via encrypted password protected .zip folders in compliance with OAR 860-001-0180 and Order No. 20-088.

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Dated this 24<sup>th</sup> day of August, 2021 at Oakland, CA.

*/s/ Ana Boyd*

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**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UE 390

In the Matter of

PACIFICORP, dba PACIFIC POWER,  
2022 Transition Adjustment Mechanism

AMENDED SIERRA CLUB'S EXHIBIT  
LIST AND CROSS-EXAMINATION  
EXHIBITS

Sierra Club hereby provides its Amended Exhibit List and Cross Examination Exhibits. Exhibit Sierra Club/304 has been updated to include PacifiCorp's Response to Sierra Club Data Request 6.1.<sup>1</sup> This filing also includes supplemental Exhibits Sierra Club/305 and Sierra Club/306 (Sierra Club 6.2 and 6.3 respectively).

**Sierra Club Pre-Filed Exhibits**

**Witness: Ed Burgess**

<b>Exhibit No.</b>	<b>Description</b>
Sierra Club/100	Highly Confidential Opening Testimony of Ed Burgess
Sierra Club/101	Curriculum Vitae of Ed Burgess
Sierra Club/102	Redacted PacifiCorp Long-Term Fuel Supply Plan for the Jim Bridger Plant Comparison Report (provided as an attachment to PacifiCorp Response to Sierra Club Data Request 1.31)
Sierra Club/103	Selected Public PacifiCorp Data Responses
Sierra Club/104	PacifiCorp Response to OPUC Data Request 57
Sierra Club/105	Excerpts from 2021 ECAC Evidentiary Hearing Transcript in California Public Utilities Commission Proceeding A.20-08-002
Sierra Club/106	Confidential Attachment to PacifiCorp Response Sierra Club Data Request 1.4
Sierra Club/107	Coal Supply Agreement with the Trapper Mine (placeholder) <sup>2</sup>
Sierra Club/108	Coal Supply Agreement with Peabody Coal Sales, LLC (Caballo Mine) (placeholder)
Sierra Club/109	Coal Supply Agreement with Peabody Coal Sales, LLC (North Antelope Rochelle Mine) (placeholder)
Sierra Club/110	Coal Supply Agreement with Bronco Utah Operations, LLC (placeholder)
Sierra Club/111	Coal Supply Agreement with Wolverine Fuels, LLC (placeholder)

<sup>1</sup> As indicated in footnote 2 of Sierra Club's August 23, 2021 filing, PacifiCorp had yet to provide responses to Sierra Club's Sixth Set of Data Requests. PacifiCorp provided responses to these requests at approximately 4:55 p.m. PT on the date due (August 23, 2021).

<sup>2</sup> Sierra Club does not intend to move the exhibits marked "Placeholder" into the record.

<b>Exhibit No.</b>	<b>Description</b>
Sierra Club/112	Selected Confidential PacifiCorp Data Responses
Sierra Club/113	PacifiCorp Response to OPUC Data Request 72
Sierra Club/114	PacifiCorp Response to Sierra Club Data Request 8.9 in California Public Utilities Commission Proceeding A.20-08-002
Sierra Club/115	Confidential Attachment OPUC 71-1 to PacifiCorp Response to OPUC Data Request 71
Sierra Club/116	Confidential Attachment to PacifiCorp Response to Sierra Club Data Request 1.6
Sierra Club/117	Confidential Attachment OPUC 71-2 to PacifiCorp Response to OPUC Data Request 71
Sierra Club/118	Redacted PacifiCorp Confidential Long-Term Fuel Supply Plan for the Jim Bridger Plant
Sierra Club/119	Corrected Supplemental Direct Testimony of David G. Webb (PAC/600) in California Public Utilities Commission Proceeding A.20-08-002
Sierra Club/120	PacifiCorp Response to Sierra Club Data Request 8.7 in California Public Utilities Commission Proceeding A.20-08-002
Sierra Club/121	Confidential Attachment to PacifiCorp Response to Sierra Club Data Request 2.3
Sierra Club/122	Confidential Attachment to PacifiCorp Response to Sierra Club Data Request 2.7
Sierra Club/123	Confidential Attachment to PacifiCorp Response to Sierra Club Data Request 2.22
Sierra Club/124	PacifiCorp Response to Sierra Club Data Request 3.1 in California Public Utilities Commission Proceeding A.20-08-002
Sierra Club/125	PacifiCorp Response to Sierra Club Data Request 5.1 in California Public Utilities Commission Proceeding A.20-08-002
Sierra Club/126	PacifiCorp Response to Sierra Club Data Request 7.1 in California Public Utilities Commission Proceeding A.20-08-002
Sierra Club/127	Excerpt from Confidential Attachment to PacifiCorp Response to Sierra Club Data Request 1.32
Sierra Club/200	Confidential Rebuttal Testimony of Ed Burgess
Sierra Club/201	PacifiCorp Response to Sierra Club Data Request 5.5
Sierra Club/202	Confidential Attachment to PacifiCorp Response to Sierra Club Data Request 2.6
Sierra Club/203	Taylor Kuykendall, <i>US coal deliveries increasingly arrive to power plants on shorter-term contract</i>

**Cross-Examination Exhibits**

<b>Exhibit No.</b>	<b>Description</b>
Sierra Club/300	Confidential Working Agreement Between Pacific Minerals, Inc. (d/b/a Bridger Coal Company) and the International Brotherhood of Boilermakers Local S1978 (provided as an attachment to Sierra Club Data Request 3.2)
Sierra Club/301	Highly Confidential PacifiCorp Response to Sierra Club Data Request 2.10
Sierra Club/302	Confidential PacifiCorp Response to Sierra Club Data Request 3.1
Sierra Club/303	Confidential 2021 TAM Workpaper “BRIDGER.xlsx” (Ralston) (provided as an attachment to Sierra Club Data Request 1.34-6(c))
Sierra Club/304	Confidential PacifiCorp Response to Sierra Club Data Request 6.1
Sierra Club/305	PacifiCorp Response to Sierra Club Data Request 6.2
Sierra Club/306	Confidential PacifiCorp Response to Sierra Club Data Request 6.3

Dated: August 24, 2021

Respectfully submitted,

/s/ Rose Monahan

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**PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 390**

**EXHIBIT SIERRA CLUB/304**

**Cross-Examination Exhibit**

**Redacted PacifiCorp Response to Sierra Club Data Request 6.1**

UE 390 / PacifiCorp  
August 23, 2021  
Sierra Club Data Request 6.1

### **Sierra Club Data Request 6.1**

Please refer to Mr. Ralston's surrebuttal testimony, PAC/1200 at Ralston/28:11-16.

- (a) Please identify the range of production levels considered when developing the base BCC mine plan;
- (b) Please confirm whether any of the production levels identified in response to subpart (a) were lower than the BCC base mine plan production level.

### **Confidential Response to Sierra Club Data Request 6.1**

- (a) Bridger Coal Company (BCC) coal production levels considered when developing the 2022 transition adjustment mechanism (TAM) filing ranged between [CONFIDENTIAL BEGINS] [REDACTED] [CONFIDENTIAL ENDS] tons (PacifiCorp portion). BCC coal delivery levels considered when developing the 2022 TAM filing ranged between [CONFIDENTIAL BEGINS] [REDACTED] [CONFIDENTIAL ENDS] tons (PacifiCorp portion).
- (b) Not confirmed. The 2022 TAM filing assumed BCC's base mine plan produced [CONFIDENTIAL BEGINS] [REDACTED] [CONFIDENTIAL ENDS] tons of coal and delivered [CONFIDENTIAL BEGINS] [REDACTED] [CONFIDENTIAL ENDS] tons of coal to the Jim Bridger plant (PacifiCorp portion).

Confidential information is designated as Protected Information under the protective order in this proceeding and may only be disclosed to qualified persons as defined in that order.

Despite PacifiCorp's diligent efforts, certain information protected from disclosure by the attorney-client privilege or other applicable privileges or law may have been included in its responses to these data requests. PacifiCorp did not intend to waive any applicable privileges or rights by the inadvertent disclosure of protected information, and PacifiCorp reserves its right to request the return or destruction of any privileged or protected materials that may have been inadvertently disclosed. Please inform PacifiCorp immediately if you become aware of any inadvertently disclosed information.



**PUBLIC UTILITY COMMISSION  
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**EXHIBIT SIERRA CLUB/305**

Cross-Examination Exhibit

PacifiCorp Response to Sierra Club Data Request 6.2

UE 390 / PacifiCorp  
August 23, 2021  
Sierra Club Data Request 6.2

### **Sierra Club Data Request 6.2**

Please refer to PacifiCorp's Confidential Response to Sierra Club Data Request 3.2(a). Please confirm whether the identified contributions to the Bridger Coal Company Trust Fund account for anticipated labor costs associated with reclamation at the Bridger mine.

### **Response to Sierra Club Data Request 6.2**

Confirmed. Contributions to the Bridger Coal Company (BCC) trust fund include operating costs required to complete final reclamation activities excluding depreciation and depletion. Labor costs supporting final reclamation work are included in the sinking fund calculation and informs the trust fund contribution amount.

Despite PacifiCorp's diligent efforts, certain information protected from disclosure by the attorney-client privilege or other applicable privileges or law may have been included in its responses to these data requests. PacifiCorp did not intend to waive any applicable privileges or rights by the inadvertent disclosure of protected information, and PacifiCorp reserves its right to request the return or destruction of any privileged or protected materials that may have been inadvertently disclosed. Please inform PacifiCorp immediately if you become aware of any inadvertently disclosed information.

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**EXHIBIT SIERRA CLUB/306**

**Cross-Examination Exhibit**

**Redacted PacifiCorp Response to Sierra Club Data Request 6.3**

UE 390 / PacifiCorp  
August 23, 2021  
Sierra Club Data Request 6.3

### **Sierra Club Data Request 6.3**

**CONFIDENTIAL REQUEST** - Please refer to Mr. Ralston's surrebuttal testimony, PAC/1200 at Ralston/40:19-41:2. Please confirm that the balance referenced, representing an estimate of the BCC base/fixed amount that would not charge with a reduction in MMBtu's delivered, includes approximately [CONFIDENTIAL BEGINS] [REDACTED] [CONFIDENTIAL ENDS] in labor costs.

### **Confidential Response to Sierra Club Data Request 6.3**

Confirmed. The indicative amount would include labor costs of approximately [CONFIDENTIAL BEGINS] [REDACTED] [CONFIDENTIAL ENDS].

Confidential information is designated as Protected Information under the protective order in this proceeding and may only be disclosed to qualified persons as defined in that order.

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