



August 23, 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 Sierra Club Cross-Examination Exhibits for filing in the above-captioned docket. The confidential and highly confidential version of the exhibits are being provided electronically to each party eligible to receive protected and highly protected information under Order Nos. 16-128 and 21-086 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,

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Sierra Club Environmental Law Program  
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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 23<sup>rd</sup> day of August, 2021, I have served true and correct copies of the Sierra Club Confidential and Highly 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 23<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

SIERRA CLUB’S EXHIBIT LIST AND  
CROSS-EXAMINATION EXHIBITS

**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>1</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)                                                                                                                  |
| 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                                                                                               |

<sup>1</sup> Sierra Club does not intend to move the exhibits marked “Placeholder” into the record.

| <b>Exhibit No.</b> | <b>Description</b>                                                                                                                  |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| 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                                                                                                                                             |

| <b>Exhibit No.</b> | <b>Description</b>                                                                                                         |
|--------------------|----------------------------------------------------------------------------------------------------------------------------|
| 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 Sierra Club's Sixth Set of Data Requests to PacifiCorp <sup>2</sup>                                           |

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<sup>2</sup> Sierra Club is including this exhibit as a placeholder as PacifiCorp’s responses to these questions are not due until close of business August 23, 2020. Sierra Club will update the cross-examination exhibits once responses are received from PacifiCorp.

**PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 390**

**EXHIBIT SIERRA CLUB/300**

**CONFIDENTIAL**

Cross-Examination Exhibit

Working Agreement Between Pacific Minerals, Inc. and the  
International Brotherhood of Boilermakers Local S1978

**This exhibit is confidential pursuant to Protective Order 16-128 and  
is provided under separate cover.**

**PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 390**

**EXHIBIT SIERRA CLUB/301**

**Cross-Examination Exhibit**

**Redacted PacifiCorp Response to Sierra Club Data Request 2.10**



**Sierra Club Data Request 2.10**

Please indicate whether PacifiCorp attempted to negotiate any contract provisions that would allow the Company to avoid or reduce minimum take requirements as a result of specified triggering events for the newly entered Hunter and Dave Johnston coal supply agreements referenced at PAC/200 at Ralston/2:19-21.

**Response to Sierra Club Data Request 2.10**

Yes, please refer to the contract provisions listed below for the Hunter and Dave Johnston coal supply agreements (CSA):

**Hunter:**

**[Highly Confidential Begins]**

[REDACTED]

[REDACTED]

[REDACTED]

**[Highly Confidential Ends]**

**Dave Johnston:**

**[Highly Confidential Begins]**

[REDACTED]

[REDACTED]

[REDACTED]

**[Highly Confidential Ends]**

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

**PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 390**

**EXHIBIT SIERRA CLUB/302**

**Cross-Examination Exhibit**

**Redacted PacifiCorp Response to Sierra Club Data Request 3.1**

UE 390 / PacifiCorp  
July 7, 2021  
Sierra Club Data Request 3.1

**Sierra Club Data Request 3.1**

**CONFIDENTIAL REQUEST** - Please confirm that the Wyodak coal plant has [CONFIDENTIAL BEGINS] [REDACTED] [CONFIDENTIAL ENDS] take requirement.

- (a) If the response is “not confirmed”, please identify the minimum take requirement for the Wyodak plant.

**Confidential Response to Sierra Club Data Request 3.1**

The coal supply agreement (CSA) for the Wyodak plant obligates PacifiCorp to purchase a minimum of [CONFIDENTIAL BEGINS] [REDACTED]

[REDACTED] [CONFIDENTIAL ENDS] PacifiCorp did not use a minimum purchase requirement for the Transition Adjustment Mechanism.

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.

**PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 390**

**EXHIBIT SIERRA CLUB/303**

**CONFIDENTIAL**

Cross-Examination Exhibit

2021 TAM Workpaper “BRIDGER.xlsx” (Ralston)

**This exhibit is confidential pursuant to Protective Order 16-128 and  
is provided under separate cover.**

**PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 390**

**EXHIBIT SIERRA CLUB/304**

Cross-Examination Exhibit

Redacted Sierra Club's Sixth Set of Data Requests to PacifiCorp

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON  
UE 390**

|                            |   |                            |
|----------------------------|---|----------------------------|
| In the Matter of           | ) |                            |
|                            | ) |                            |
| PACIFICORP 2022 TRANSITION | ) | SIXTH SET OF DATA REQUESTS |
| ADJUSTMENT MECHANISM (TAM) | ) | OF SIERRA CLUB [REDACTED]  |
|                            | ) |                            |
|                            | ) |                            |

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Sierra Club hereby serves its sixth set of data requests regarding the above docket. In accordance with OAR 860-001-0540, Sierra Club requests that PacifiCorp provide responses as expeditiously as possible, but not later than the deadline of 7 calendar days which is **August 23, 2021**.

**INSTRUCTIONS**

1. Please provide copies of responses to the following contacts:

|                                       |                                       |
|---------------------------------------|---------------------------------------|
| Thien Chau                            | Rose Monahan                          |
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| <br>                                  |                                       |
| Ana Boyd                              | Ed Burgess                            |
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2. Whenever possible, Sierra Club prefers to receive electronic copies of data responses either by email or on CD.
3. Responses to any and all of Sierra Club's data requests should be supplied to Sierra Club as soon as they become available to PacifiCorp.
4. The requests herein shall be deemed to be continuing in nature and PacifiCorp is requested to supplement its responses as necessary and as additional information becomes available.

5. In responding to each data request, please consult every document source which is in your possession, custody, or control, including all documents in the possession of experts or consultants.
6. For each response, identify the person who prepared the answer to the data request as well as his or her position with PacifiCorp or any PacifiCorp affiliate or parent.
7. Please reproduce the data request being responded to before the response.
8. Please provide all associated workpapers relied upon for inputs calculations, and/or assumptions. Please provide your answers in live Excel spreadsheets with all links and formula intact. Please accompany the workpapers with a description for each workbook.
9. If the responses include computer modeling input and output files, please provide those data files in electronic machine readable or txt format.
10. If the responses include spreadsheet files, please provide those spreadsheet files in useable electronic Excel readable format.
11. In responses providing computer files, list the file names with cross-reference to the data request, and if necessary to the understanding of the data, provide a record layout of the computer files. Computer files provided with a response must be in or compatible with the current version, or the immediately prior version, of Microsoft Office.
12. For each dollar amount provided in response to a discovery request please state if the amount is in nominal or constant dollars and what years dollars.

**In the Matter of PacifiCorp's 2022 Transition Adjustment Mechanism (TAM)****Docket No. UE 390****Sierra Club's Sixth Set of Data Requests to PacifiCorp [REDACTED]****August 16, 2021**

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**REDACTED DATA REQUESTS**

- SC 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.
- SC 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.
- SC 6-3. 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 \$ [REDACTED] in labor costs.