

John M. Eriksson (4827)  
Ted D. Smith (3017)  
STOEL RIVES LLP  
*Attorneys for PacifiCorp*  
201 South Main Street, Suite 1100  
Salt Lake City, UT 84111  
Phone: 801/328-3131  
Fax: 801/578-6999  
Email: jmeriksson@stoel.com  
Email: tsmith@stoel.com

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

---

In the Matter of Demand Side Management :  
Cost Recovery by PACIFICORP dba UTAH :  
POWER & LIGHT COMPANY :

Docket No. 02-035-T12

**MOTION FOR APPROVAL OF  
STIPULATION**

---

PacifiCorp hereby moves the Public Service Commission for approval of the Stipulation entered into in this docket, a copy of which is attached hereto. In support of this Motion, PacifiCorp states as follows:

1. On October 31, 2002, PacifiCorp filed with the Commission a Petition for approval of a demand side management (“DSM”) cost recovery tariff schedule (Electric Service Schedule No. 191 or “Schedule 191”). As part of its Petition, the Company also requested that the Commission utilize this docket to develop self-direction criteria and procedures that would provide a credit to qualifying customers that self-invest in energy efficiency projects. Since the time of the Company’s filing, testimony has been filed by the Company and the Utah Association of Energy Users Intervention Group (“UAE”), and technical conferences and

working group meetings were held January 9, January 30, March 3, April 7, June 24, July 8, July 18, July 31 and August 13, 2003.

2. The Company's Petition, including the proposal for a self-direction provision, was filed pursuant to Utah Code Ann. § 54-7-12.8, which was enacted in 2002. Section 54-7-12.8 authorizes the Commission to approve a DSM tariff rider charge which appears as a separate line item on a customer's bills, and also authorizes the Commission to approve a tariff with a provision allowing a customer to receive credits, to be applied against the DSM tariff rider charge, for electric energy efficiency measures that (a) the customer implements or has implemented at its expense, and (b) satisfy Commission-established criteria.

3. As a result of the discussions in this docket, the Parties have reached the agreement set forth in the Stipulation. The Stipulation establishes an agree-upon form of a DSM tariff rider (Schedule 191) and an agree-upon self-direction credit mechanism (Schedule 192). Among other things, the Stipulation establishes certain reporting responsibilities of the Company in connection with Schedules 191 and 192.

4. The form of Schedule 191 attached to the Stipulation does not specify a collection rate for the DSM tariff rider. Rather, as provided in the Stipulation, the Company will make a separate filing to set the collection rate, which the Parties agree generally is to be collected from the various customer classes based on the classes' revenues using the same methodology applied in setting the rates for the currently effective Schedule 95 surcharge.

5. Section 54-7-1 of the Utah Code encourages settlement of matters before the Commission and authorizes the Commission to approve a stipulation or settlement, after considering the interests of the public and other affected persons, if it finds the stipulation or settlement is just and reasonable in result and such finding is supported by record evidence.

PacifiCorp submits that the Stipulation is just, reasonable and in the public interest. Evidence in support of the Stipulation will be presented at the hearing in this matter.

WHEREFORE, PacifiCorp respectfully requests that the Commission grant this motion and approve the Stipulation, including proposed Schedules 191 and 192.

Respectfully submitted this 29<sup>th</sup> day of August, 2003.

PACIFICORP

---

John M. Eriksson  
Stoel Rives LLP

## CERTIFICATE OF SERVICE

I hereby certify that on this 29<sup>th</sup> day of August, 2003, I caused to be served via United States mail, postage prepaid, the foregoing Motion for Approval of Stipulation to the following:

Steven F. Alder  
Assistant Attorney General  
P.O. Box 140857  
Salt Lake City, UT 84114

Rich Collins  
Westminster College  
1840 South 1300 East  
Salt Lake City, UT 84105

William J. Evans  
Parsons Behle & Latimer  
One Utah Center  
201 South Main, Suite 1800  
Salt Lake City, UT 84111

Marco Kunz  
MSR Partnership  
Salt Lake City Attorney's Office  
451 South State #505  
Salt Lake City, UT 84111

Reed Warnick  
Assistant Attorney General  
Committee of Consumer Services  
500 Heber M. Wells Bldg.  
160 East 300 South  
Salt Lake City, UT 84111

Eric C. Guidry  
Western Resource Advocates  
2260 Baseline Road, Suite 200  
Boulder, CO 80302

Jeff Burks  
Utah Energy Office  
Utah Department of Natural Resources  
1594 West North Temple, Suite 3610  
Salt Lake City, UT 84114-6480

Gary A. Dodge  
Hatch James & Dodge  
10 West Broadway, Suite 400  
Salt Lake City, UT 84101

Howard Geller  
SWEEP  
2260 Baseline Road, Suite 212  
Boulder, CO 80302

Michael Ginsberg  
Assistant Attorney General  
Division of Public Utilities  
500 Heber M. Wells Bldg.  
160 East 300 South  
Salt Lake City, UT 84111

Betsy Wolf  
Salt Lake Community Action Program  
764 South 200 West  
Salt Lake City, UT 84101