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2005 FEB 25 A 12:41

FEDERAL ENERGY
REGULATORY COMMISSION

February 25, 2005

Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
Dockets Room, Room 1A
888 First Street, N.E.
Washington, D.C. 20426

ER05-647-000

Dear Ms. Salas:

PacifiCorp files herewith, in accordance with 18 CFR § 35 of the Federal Energy Regulatory Commission's ("Commission") Rules and Regulations, an original and five copies each of this letter and the following:

1. Title Page;
2. Notice of Filing with diskette; and
3. First Revised Sheet Nos. 88 through 89 to PacifiCorp's 5th Revised Electric Tariff Vol. No. 11 ("Open Access Transmission Tariff" or "OATT") in a clean version and a red-line version identifying the requested revisions.

The proposed changes affect Section 17.7 (Extensions to Commencement of Service) of PacifiCorp's OATT. In the enclosed First Revised Sheet Nos. 88 through 89, PacifiCorp proposes to modify its Section 17.7 OATT language to conform to the applicable language in the Commission's *pro forma* OATT.

PacifiCorp's existing Section 17.7 was modified as a result of an earlier filing. By letter dated December 28, 2001, under Commission Docket No. ER02-653-000, PacifiCorp proposed certain modifications to the Section 17.7 OATT language. These proposed modifications were part of an overall change that would have restricted a transmission customer's right to extend the commencement date if PacifiCorp were required to construct new facilities to meet the service requirements of an agreement.

By Order dated February 28, 2002, the Commission rejected PacifiCorp's proposed revisions and required PacifiCorp to re-submit its OATT with certain modifications to Section 17.7 affecting some, but not all, of the originally proposed language.¹ As a consequence, PacifiCorp's Section 17.7 OATT language currently differs slightly from

¹ See *PacifiCorp*, 98 FERC ¶ 61,224 (2002).

DISK/OSEC

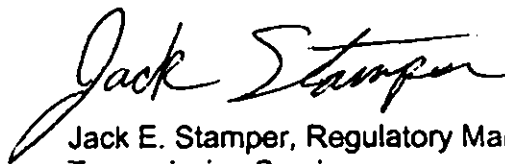
Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
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pro forma by referring to a subsection 17.7 (ii) (when there is no such subsection), by referring to the ability to extend "all or part" of the reserved service (a reference that has lead to confusion regarding the interpretation of PacifiCorp's Section 17.7), and by including other language related to the earlier proposal rejected by the Commission. PacifiCorp believes these language changes were inadvertently left in its OATT after the 2002 filing, and neither PacifiCorp nor the Commission intended for PacifiCorp's Section 17.7 to be worded or interpreted differently from the Commission's *pro forma* OATT. Accordingly, PacifiCorp believes that it is appropriate to rescind all previous changes to Section 17.7 and is hereby requesting that it be allowed to adopt the Commission's *pro forma* Section 17.7 wording verbatim.

PacifiCorp requests that a waiver of the Commission's notice requirements pursuant to 18 CFR § 35.11 be granted and that an effective date of February 28, 2005 for the enclosed First Revised Sheet Nos. 88 through 89.

A copy of this filing has been supplied to the parties shown on the attached distribution list. In addition, PacifiCorp will post a copy of this filing at its corporate web site at <http://www.pacificorp.com/> under News & Info/ Regulatory Information/Transmission Business at FERC.

Sincerely,



Jack E. Stamper, Regulatory Manager
Transmission Services

Enclosures

**Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
Page 3**

DISTRIBUTION LIST

**Lee Sparing
Public Utility Commission of Oregon
550 Capital Street, N.E.
Salem, Oregon 97310-1380**

**Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr., S.W.
Olympia, Washington 98504-7250**

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TITLE PAGE

FILING UTILITY:

PacifiCorp

UTILITY RENDERING SERVICE:

PacifiCorp

UTILITY RECEIVING SERVICE:

Transmission Customers under PacifiCorp's Open Access Transmission Tariff

DESCRIPTION:

Revisions to Section 17.7 of PacifiCorp's Open Access Transmission Tariff, FERC Electric Tariff, Fifth Revised Volume No. 11 to adopt the Commission's *pro forma* Section 17.7 language.

DATE: February 25, 2005

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

PacifiCorp) Docket No.

NOTICE OF FILING

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Take notice that PacifiCorp on _____ tendered for filing in accordance with 18 CFR § 35 of the Commission's Rules and Regulations, revisions to Section 17.7 of its Open Access Transmission Tariff, FERC Electric Tariff, Fifth Revised Volume No. 11 to adopt the Commission's *pro forma* Section 17.7 language.

Written copies of this filing were supplied to the Public Utility Commission of Oregon and the Washington Utilities and Transportation Commission. In addition, PacifiCorp's existing transmission customers were notified by email.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, D.C. There is an "eSubscription" link on the web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date:

Magalie R. Salas
Secretary

PacifiCorp
FERC Electric Tariff,
5th Rev Volume No. 11

First Revised Sheet No. 88

deemed a withdrawal and termination of the Application and any deposit submitted shall be refunded with interest. Nothing herein limits the right of an Eligible Customer to file another Application after such withdrawal and termination.

17.7 Extensions for Commencement of Service:

- (i) Transmission Customer can obtain up to five (5) one-year extensions for the commencement of service. The Transmission Customer may postpone service by paying a non-refundable annual reservation fee equal to one-month's charge for Firm Transmission Service for each year or fraction thereof. If during any extension for the commencement of service an Eligible Customer submits a Completed Application for Firm Transmission Service, and such request can be satisfied only by releasing all or part of the Transmission Customer's Reserved Capacity, the original Reserved Capacity will be released unless the following condition is satisfied. Within thirty (30) days, the original Transmission Customer agrees to pay the Firm Point-To-Point Transmission rate for its Reserved Capacity concurrent with a new Service Commencement Date . In the event the Transmission Customer elects to release the Reserved Capacity, the reservation fees or portions thereof previously paid will be forfeited.

Issued by: Jack E. Stamper, Regulatory Manager

Issued on: February 25, 2005

Effective on: February 28, 2005

PacifiCorp
FERC Electric Tariff,
5th Rev Volume No. 11

First Revised Sheet No. 89

17.8 Expedited Treatment for Requests for and Reservation of

Short-Term Firm Point-To-Point Transmission Service:

Eligible Entities desiring to purchase Short-term Firm Point-to-Point Transmission Service under these expedited procedures must submit a Completed Application to the Transmission Provider for an Umbrella Service Agreement for Short-term Firm Point-To-Point Transmission Service as provided in Attachment B. Such Completed Application must be submitted over the OASIS or in writing to the Transmission Provider at the address shown in Attachment B. Only the information required by Section 17.2(i) and (ii) is

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Issued on: February 25, 2005 Effective on: February 28, 2005

deemed a withdrawal and termination of the Application and any deposit submitted shall be refunded with interest. Nothing herein limits the right of an Eligible Customer to file another Application after such withdrawal and termination.

17.7 Extensions for Commencement of Service:

- (i) ~~Except as provided for in Section 17.7(ii), the~~ Transmission Customer can obtain up to five (5) one-year extensions for the commencement of service. ~~The Transmission Customer must provide the Transmission Provider with a written notification requesting such an extension before the Service Commencement Date, or, in the event that such service is currently being deferred under a previous extension, before the termination date of such previously agreed to extension. The~~ Transmission Customer may postpone ~~all or part of the Firm Point To Point Transmission~~ service by paying a non-refundable annual reservation fee equal to one-month's charge for ~~the postponed portion of the Firm Point to Point Transmission~~ Service for each year or fraction thereof. If during any extension for the commencement of service an Eligible Customer submits a Completed Application for Firm ~~Point to Point~~ Transmission Service, and such request can be satisfied only by releasing all or part of the Transmission Customer's Reserved Capacity, ~~the applicable portion of~~

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5th Rev Volume No. 11

First Revised Sheet No. 89

the original Reserved Capacity will be released unless the following condition is satisfied. Within thirty (30) days ~~of being notified by the Transmission Provider,~~ the original Transmission Customer agrees to pay the Firm Point-To-Point Transmission ~~Service~~ rate for ~~the applicable portion of its~~ Reserved Capacity concurrent with a new Service Commencement Date ~~that is consistent with the requested service commencement date in the competing Application.~~ In the event the Transmission Customer elects to release the ~~applicable portion of its~~ Reserved Capacity, the reservation fees or portions thereof previously paid will be forfeited and ~~the original agreement shall be amended to reduce the original Reserved Capacity to reflect the remaining amount (if any).~~

17.8 Expedited Treatment for Requests for and Reservation of Short-Term Firm Point-To-Point Transmission Service:

Eligible Entities desiring to purchase Short-term Firm Point-to-Point Transmission Service under these expedited procedures must submit a Completed Application to the Transmission Provider for an Umbrella Service Agreement for Short-term Firm Point-To-Point Transmission Service as provided in Attachment B. Such Completed Application must be submitted over the OASIS or in writing to the Transmission Provider at the address shown in Attachment B. Only the information required by Section 17.2(i) and (ii) is

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