

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



FILED

06/15/26

01:26 PM

R2202002

Order Instituting Rulemaking to Implement
Resolution E-5076 and Review of Tribal Policies.

Rulemaking 22-02-002
(Filed February 10, 2022)

**PACIFICORP'S (U 901 E) RESPONSE TO JUNE 4, 2026 RULING OF
ADMINISTRATIVE LAW JUDGE KAO REGARDING APPLICATION OF TRIBAL
LAND TRANSFER POLICY TO SURPLUS PROPERTIES**

June 15, 2026

Tiffanie Ellis-Burke
PacifiCorp
825 NE Multnomah St., Ste 2000
Portland, OR 97232
Telephone: (503) 813-5817
Email: Tiffanie.Ellis-Burke@PacifiCorp.com

Attorney for PacifiCorp

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Implement
Resolution E-5076 and Review of Tribal Policies.

Rulemaking 22-02-002
(Filed February 10, 2022)

**PACIFICORP’S (U 901 E) RESPONSE TO JUNE 4, 2026 RULING OF
ADMINISTRATIVE LAW JUDGE KAO REGARDING APPLICATION OF TRIBAL
LAND TRANSFER POLICY TO SURPLUS PROPERTIES**

I. INTRODUCTION

PacifiCorp d/b/a Pacific Power (PacifiCorp) respectfully submits these responses in accordance with the Administrative Law Judge’s June 4, 2026, ruling issued in California Public Utilities Commission (Commission) Rulemaking 22-02-002 (Ruling). The Ruling directs investor-owned utilities to provide supplemental information regarding the management and potential sale of surplus properties and invites comments regarding the application of the Tribal Land Transfer Policy (TLTP) to such properties. As set forth in the Ruling, opening comments are due no later than June 15, 2026, and the Ruling requests responses to ten questions, including five questions that investor-owned utilities (IOUs) must address and five questions that all parties may address.

II. PACIFICORP RESPONSES TO QUESTIONS DIRECTED TO INVESTOR-OWNED UTILITIES

Question 1: What is the process by which each applicable IOU determines whether property is surplus?

PacifiCorp evaluates property holdings on a case-by-case basis to determine whether continued ownership is necessary to support utility operations or whether disposition may be appropriate.

Question 2: What is the typical process by which each applicable IOU determines to offer surplus properties for sale?

PacifiCorp conducts an internal review in coordination with relevant business units to determine

whether a property is needed for current or future operations. At the same time, the appropriate business units will analyze whether a disposition would likely benefit ratepayers and whether the property can constitute a legal, saleable parcel.

Question 3: Please provide a list of every surplus property sale that has occurred in the past two years.

PacifiCorp has not sold any surplus property in California within the past two years.

Question 4: How much surplus property is currently owned by each IOU?

PacifiCorp has identified two parcels, comprising approximately 320 acres in total, that may be appropriate for sale.

Question 5: What are the general types of surplus properties owned by each IOU?

PacifiCorp's currently identified surplus properties consist of agricultural and/or timber lands.

III. PACIFICORP RESPONSES TO QUESTIONS THAT ALL PARTIES MAY ADDRESS

Question 6: What is the best method to ensure that the IOUs receive market value for their surplus properties?

Appraisals and broker opinions of value may inform pricing and provide benchmarks, but market value should ultimately be determined through exposure to the open market, considering the specific characteristics of the property and market conditions at the time of sale.

Question 7: Would providing current appraisals to Tribes protect ratepayers by expediting the sale of surplus properties at their appraised price?

Obtaining an appraisal may not expedite transactions. While an appraisal may provide useful information regarding potential property value, an appraised value does not necessarily reflect market value. Appraisals may not fully capture dynamic market conditions, changes in zoning or development potential, inventory, timing, or other factors that can materially affect a property's value.

In addition, book value and transaction-related costs—including surveys, appraisals, parcelization work, and other closing expenses—can affect the net benefit to ratepayers. Accordingly, an appraisal may be informative, but it should not be treated as dispositive of the appropriate sale price.

Question 8: How would the proceeds from potential sales of surplus properties be split between ratepayers and shareholders?

The treatment of proceeds from jurisdictional property sales is already governed by existing

Commission precedent and ratemaking principles, including existing gain-on-sale treatment. To the extent disposition of proceeds is required, that issue should continue to be addressed under the Commission's established regulatory framework, rather than through a new surplus-property-specific standard. This approach is consistent with existing Commission practice under which proceeds and costs may be tracked, and their final disposition determined in a future general rate case or other authorized proceeding.

Question 9: How could the IOU processes for marketing and selling surplus properties best be coordinated with the TLTP?

PacifiCorp does not currently have specific recommendations regarding the coordination between marketing and selling of surplus properties and the TLTP. However, the company recognizes that successful coordination would facilitate Tribal access to utility-owned land where appropriate, while also recognizing utilities' operational needs and regulatory obligations. Therefore, PacifiCorp believes that any such coordination should be rooted in the following core principles: preservation of flexibility in property disposition, ensuring fair market value outcomes, and protection of ratepayer interests.

PacifiCorp is committed to engaging constructively with Commission Staff, Tribal and government entities, and other stakeholders in this proceeding and looks forward to enhancing its understanding of the range of perspectives as they relate to the TLTP.

Question 10: How should the TLTP best be modified to include the sale of surplus properties within the TLTP? Would a reporting requirement or advice letter process be needed?

PacifiCorp does not believe that modifications to the existing property disposition and TLTP are necessary to address the sale of surplus properties. The existing property disposition and TLTP tribal engagement and reporting processes provide adequate transparency.

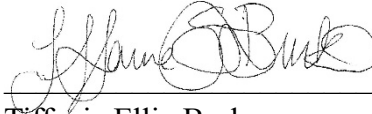
To the extent the Commission is considering modifications to these frameworks, PacifiCorp would encourage building on existing processes rather than imposing new reporting obligations or requirements such as mandatory appraisal sharing requirements that could limit flexibility, create additional administrative burden, or risk interference with a utilities' ability to manage surplus property in a manner that serves their operational needs and ratepayer interests, as well as the TLTP.

IV. CONCLUSION

PacifiCorp appreciates the opportunity to respond to the Ruling and asserts that its existing surplus property processes protect ratepayers and align with the TLTP. The company respectfully urges the Commission to rely on existing ratemaking, property disposition, and reporting mechanisms which provide appropriate oversight, while preserving utility discretion.

PacifiCorp looks forward to continued engagement with the Commission, Staff, Tribal entities, and other stakeholders in this proceeding.

Respectfully submitted,



Tiffanie Ellis-Burke

PacifiCorp

825 NE Multnomah St., Suite 2000

Portland, OR 97232

Telephone: (503) 813-5817

Email: Tiffanie.Ellis-Burke@PacifiCorp.com

Dated: June 15, 2026

Attorney for PacifiCorp