BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

PCN 8

In the Matter of PACIFICORP, dba PACIFIC POWER Petition for Certificate of Public Convenience and Necessity.	)	STAFF'S RESPONSE TO ALJ RULING

Staff of the Public Utility Commission of Oregon (Staff) submits this response to the Ruling from Administrative Law Judge (ALJ) Mellgren on June 26, 2025.

The ALJ Ruling requested the parties file responses on:

- Whether HB 3681 impacts the procedural schedule in this docket and any requested changes to the procedural schedule, and
- Whether a conference should be held to discuss changes to the procedural schedule.

Staff responds that:

- Staff does not request any changes to the current procedural schedule.
- Staff does not request an ALJ conference.

The ALJ has the authority and duty to "conduct a full and fair inquiry." ORS 183.417(8). Similarly, Staff works in these proceedings to investigate issues and to foster development of a full and fair record, so the ALJ and the Commission can apply the law to the facts. Staff cannot, at this moment, precisely define the meaning of the new standard in HB 3681, Section 4. For this proceeding, Staff's goal is to produce testimony that covers the scope of issues that the Commission will need to address to make a decision in 2026 on the Lone Pine to Whetstone Certificate for Public Convenience and Necessity (CPCN) application. Staff intends to begin interpreting the standards from HB 3681 in its August 2025 testimony. Staff's work is not just a legal analysis, but is substantive and technical work that involves reviewing discovery and

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analyzing the CPCN application, while applying the law to the issues. Staff can complete this work over the next month for Staff's Opening testimony.

DATED this 2nd day of July 2025.

Respectfully submitted,

DAN RAYFIELD
Attorney General

/s/ Sarah S. Rowe

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