



Portland General Electric Company
Legal Department
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Inara K. Scott
Assistant General Counsel

January 11, 2006

Via Electronic Filing and U.S. Mail

Oregon Public Utility Commission
Attention: Filing Center
PO Box 2148
Salem OR 97308-2148

Re: In the Matter of OREGON PUBLIC UTILITY COMMISSION STAFF directing
PORTLAND GENERAL ELECTRIC COMPANY to file tariffs establishing automatic
adjustment clauses under the terms of SB 408
OPUC Docket No. UE 178

Attention Filing Center:

Enclosed for filing in the above-captioned docket is Portland General Electric's Response to Motion Regarding Electronic Service on Parties. This document is being filed by electronic mail with the Filing Center.

An extra copy of this cover letter is enclosed. Please date stamp the extra copy and return it to me in the envelope provided.

Thank you in advance for your assistance.

Sincerely,

/s/ INARA K. SCOTT

IKS:am

cc: UE 178 Service List

Enclosure

From: Jay Dudley
To: Dan Meek
Date: 10/31/2005 1:14:15 PM
Subject: Re: Didn't get doc

Dan,
I didn't get the e-mail at all.
I got this one and your forward of the 10/27 original.
But no original.
Jay.

>>> Dan Meek <dan@meek.net> 10/31/05 01:04 PM >>>

What was the problem? Was the document not attached? I will forward it.

Dan Meek
Attorney
10949 S.W. 4th Ave
Portland, OR 97219
503-293-9021 phone
503-293-9099 fax
dan@meek.net

Jay Dudley wrote: Dan
I did not get your "Joining of Opening..." e-mail service you filed last week in UM 1206.
Is the problem at my end or yours?
Jay.

BEFORE THE PUBLIC UTILITY COMMISSISON
OF OREGON

UE 178

In the Matter of OREGON PUBLIC UTILITY)
COMMISSION STAFF directing PORTLAND)
GENERAL ELECTRIC COMPANY to file)
tariffs establishing automatic adjustment clauses)
under the terms of SB 408)
RESPONSE OF PGE TO MOTION
REGARDING ELECTRONIC
SERVICE ON PARTIES OF KEN
LEWIS AND UTILITY REFORM
PROJECT
)

Portland General Electric Company (PGE) respectfully requests that the Commission deny the Motion Regarding Electronic Service Upon Parties (Motion) filed by Ken Lewis and the Utility Reform Project (Movants) on December 28, 2005. The Motion requests that the Commission deviate from its service rules to allow for service solely by electronic mail, without corresponding service of hard copy documents. PGE does not believe that electronic mail can be relied upon as the sole means of service, and correspondingly requests that the Motion be denied.

I. RESPONSE

OAR 860-011-0000 requires good cause for waiver of any of the rules contained in Division 13, including the service requirements of OAR 860-013-0070. Movants have failed to demonstrate good cause exists to waive service requirements, and in fact, based on recent experiences, PGE believes it is necessary to maintain these requirements.

The Motion states that the service list is lengthy and can be expected to grow. This fact alone does not warrant waiver of service requirements, particularly where past history has shown electronic mail to be an insufficient form of service.¹ For example, in Docket UM 1226,

¹ PGE notes that the Industrial Customers of Northwest Utilities (ICNU) filed a Response in Support of the Motion Regarding Electronic Service Upon Parties in dockets UE 177 and UE 178 (Jan. 3, 2006), in which it stated that it has recently participated in a number of proceedings in which electronic service worked well. As described below, this experience is contrary to PGE's experience in dockets UM 1226 and UM 1206.

Movants filed a motion requesting an extension of time to file a response to a motion filed by PGE, stating that counsel for Movants had “no record of receiving the electronic version” of the pleading. See Complainants' Motion for Extension of Time to File Response to PGE Motion to Dismiss, Abate, or Make More Definite and Certain, UM 1226 (December 5, 2005). In Docket UM 1206, PGE did not receive email service of a document that Movants stated had been electronically served. See Exhibit A, Email from Jay Dudley to Dan Meek, dated October 31, 2005.

PGE does not mean to suggest that Movants were responsible for these failures of service. Rather, these instances demonstrate that electronic service should not be relied upon as the sole means of service. PGE believes it is appropriate and necessary to maintain a requirement for both electronic and traditional mail service of documents in this docket UE 178.

DATED this 11th day of January, 2006.

Respectfully submitted,

/s/ INARA K. SCOTT
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CERTIFICATE OF SERVICE

I certify that I have caused to be served the foregoing **RESPONSE OF PGE TO MOTION REGARDING ELECTRONIC SERVICE ON PARTIES OF KEN LEWIS AND UTILITY REFORM PROJECT** in OPUC Docket No 178, by U.S. Mail and electronic mail, to the following parties:

LOWREY R BROWN CITIZENS' UTILITY BOARD OF OREGON 610 SW BROADWAY - STE 308 PORTLAND OR 97205 lowrey@oregoncub.org	MELINDA J DAVISON DAVISON VAN CLEVE PC 333 SW TAYLOR - STE 400 PORTLAND OR 97204 mail@dvclaw.com
JASON EISDORFER CITIZENS' UTILITY BOARD OF OREGON 610 SW BROADWAY STE 308 PORTLAND OR 97205 jason@oregoncub.org	DANIEL W MEEK DANIEL W MEEK ATTORNEY AT LAW 10949 SW 4TH AVE PORTLAND OR 97219 dan@meek.net
MATTHEW W PERKINS DAVISON VAN CLEVE PC 333 SW TAYLOR - STE 400 PORTLAND OR 97204 mwp@dvclaw.com	LINDA K WILLIAMS KAFOURY & MCDUGAL 10266 SW LANCASTER RD PORTLAND OR 97219-6305 linda@lindawilliams.net

Dated this 11th day of January, 2006.

/s/ INARA K. SCOTT

Inara K. Scott