

Davison Van Cleve PC

Attorneys at Law

TEL (503) 241-7242 • FAX (503) 241-8160 • mail@dvclaw.com
Suite 400
333 S.W. Taylor
Portland, OR 97204

November 4, 2005

Via Electronic and US Mail

Public Utility Commission
Attn: Filing Center
550 Capitol St. NE #215
P.O. Box 2148
Salem OR 97308-2148

Re: In the Matter of MIDAMERICAN ENERGY HOLDINGS COMPANY
Application for Authorization to Acquire Pacific Power & Light, dba PacifiCorp
Docket No. UM 1209

Dear Filing Center:

Enclosed please find the original and two (2) copies of the Response of the Industrial Customers of Northwest Utilities in Support of the Citizens' Utility Board's Motion to Modify Schedule in the above-referenced docket.

Please return one file-stamped copy of the document in the self-addressed, stamped envelope provided. Thank you for your assistance.

Sincerely,

/s/ Anna E. Studenny
Anna E. Studenny

Enclosure

cc: Service List (via email)

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1209

In the Matter of)	
)	
MIDAMERICAN ENERGY HOLDINGS COMPANY)	RESPONSE OF THE INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES IN SUPPORT OF THE CITIZENS' UTILITY BOARD'S MOTION
Application for Authorization to Acquire Pacific Power & Light, dba PacifiCorp.)	TO MODIFY SCHEDULE
_____)	

Pursuant to OAR § 860-013-0050, the Industrial Customers of Northwest Utilities (“ICNU”) submits this Response in Support of the Citizens’ Utility Board’s (“CUB”) Motion to Modify the Schedule in Public Utility Commission of Oregon (“OPUC” or the “Commission”) Docket No. UM 1209. Modifying the schedule at this time is appropriate and necessary to ensure that the Commission is presented with the most complete record possible in determining whether MidAmerican Energy Holdings Company’s (“MEHC”) proposed acquisition of PacifiCorp provides net benefits to customers and is in the public interest. The Commission has made clear that it intends to review MEHC’s Application on an expedited basis; however, that review should not occur at the expense of a fully developed record.

As the schedule currently stands, the Applicant’s will have the opportunity to submit rebuttal testimony on December 12, 2005, that will respond to Staff’s and intervenors’: 1) Opening Comments; and 2) Direct testimony. Staff and Intervenors have no opportunity provide written testimony in response to the Applicants’ rebuttal testimony. In addition, although it has been indicated that Staff and intervenors may have the opportunity to respond to

Applicant's rebuttal testimony at the hearing, it is unlikely that such a response will be as effective as providing written surrebuttal testimony. The current schedule has fourteen business days between the Applicant's rebuttal testimony on December 12, 2005, and the Opening Presentations to the Commissioners on January 4, 2005. The opportunity to conduct discovery and prepare for hearing during this period already is limited. Requiring Staff and intervenors to prepare surrebuttal testimony during this period as well will only further hinder the ability to create a fully-developed record.

ICNU supports CUB's request for the reasons set forth in the Motion. ICNU requests that the CUB's Motion be granted, and that the schedule in this proceeding be revised accordingly.

Dated this 4th day of November, 2005.

Respectfully submitted,

/s/ Matthew Perkins

Melinda J. Davison

Matthew Perkins

Davison Van Cleve, P.C.

333 S.W. Taylor, Suite 400

Portland, Oregon 97204

(503) 241-7242 phone

(503) 241-8160 facsimile

mail@dvclaw.com

Of Attorneys for Industrial Customers

of Northwest Utilities

PAGE 2 – RESPONSE OF ICNU IN SUPPORT OF CUB'S MOTION TO MODIFY
SCHEDULE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Response of the Industrial Customers of Northwest Utilities in Support of the Citizens' Utility Board's Motion to Modify Schedule upon the parties on the service list via electronic mail, and via US Mail to those parties without a listed email address.

Dated at Portland, Oregon, this 4th day of November, 2005.

/s/ Anna E. Studenny
Anna E. Studenny

NW ENERGY COALITION 219 FIRST ST STE 100 SEATTLE WA 98104	RATES & REGULATORY AFFAIRS PORTLAND GENERAL ELECTRIC RATES & REGULATORY AFFAIRS 121 SW SALMON STREET, 1WTC0702 PORTLAND OR 97204 pge.opuc.filings@pgn.com
UTILITY WORKERS UNION OF AMERICA PO BOX 37 SAN CLEMENTE CA 92674-0037 uwua@redhabanero.com	JIM ABRAHAMSON COMMUNITY ACTION DIRECTORS OF OREGON 4035 12TH ST CUTOFF SE STE 110 SALEM OR 97302 jim@cado-oregon.org
DOUGLAS L ANDERSON MIDAMERICAN ENERGY HOLDINGS CO 302 S 36 ST STE 400 OMAHA NE 68131 danderson@midamerican.com	SUSAN ANDERSON CITY OF PORTLAND OFFICE OF SUSTAINABLE DEV 721 NW 9TH AVE -- SUITE 350 PORTLAND OR 97209-3447 susananderson@ci.portland.or.us
ADAM S ARMS MCKANNA BISHOP JOFFE & SULLIVAN LLP 1635 NW JOHNSON ST PORTLAND OR 97209 aarms@mbjlaw.com	EDWARD BARTELL KLAMATH OFF-PROJECT WATER USERS INC 30474 SPRAGUE RIVER ROAD SPRAGUE RIVER OR 97639
CURTIS G BERKEY ALEXANDER, BERKEY, WILLIAMS & WEATHERS, LLP 2000 CENTER STREET, SUITE 308 BERKELEY CA 94704 cberkey@abwwlaw.com	CHARLTON H BONHAM TROUT UNLIMITED 828 SAN PABLO AVE SUITE 208 ALBANY CA 94706 cbonham@tu.org
MAGGIE BRILZ IDAHO POWER COMPANY PO BOX 70 BOISE ID 83707-0070 mbrilz@idahopower.com	LOWREY R BROWN CITIZENS' UTILITY BOARD OF OREGON 610 SW BROADWAY, SUITE 308 PORTLAND OR 97205 lowrey@oregoncub.org

<p>JOANNE M BUTLER IDAHO POWER COMPANY PO BOX 70 BOISE ID 83707-0070 jbutler@idahopower.com</p>	<p>D KEVIN CARLSON DEPT OF JUSTICE - GENERAL COUNSEL DIVISION 1162 COURT ST NE SALEM OR 97301-4096 d.carlson@doj.state.or.us</p>
<p>PHIL CARVER OREGON DEPARTMENT OF ENERGY 625 MARION ST NE STE 1 SALEM OR 97301-3742 philip.h.carver@state.or.us</p>	<p>RALPH CAVANAGH NATURAL RESOURCES DEFENSE COUNCIL 111 SUTTER ST FL 20 SAN FRANCISCO CA 94104 rcavanagh@nrdc.org</p>
<p>BRYAN CONWAY PO BOX 2148 SALEM OR 97309-2148 bryan.conway@state.or.us</p>	<p>JOHN CORBETT YUOK TRIBE PO BOX 1027 KLAMATH CA 95548 jcorbett@yuroktribe.nsn.us</p>
<p>JOAN COTE OREGON ENERGY COORDINATORS ASSOCIATION 2585 STATE ST NE SALEM OR 97301 cotej@mwvcaa.org</p>	<p>CHRIS CREAN MULTNOMAH COUNTY 501 SE HAWTHORNE, SUITE 500 PORTLAND OR 97214 christopher.d.crean@co.multnomah.or.us</p>
<p>JASON EISDORFER CITIZENS' UTILITY BOARD OF OREGON 610 SW BROADWAY STE 308 PORTLAND OR 97205 jason@oregoncub.org</p>	<p>ANN L FISHER AF LEGAL & CONSULTING SERVICES 2005 SW 71ST AVE PORTLAND OR 97225-3705 energlaw@aol.com</p>
<p>ANDREA FOGUE LEAGUE OF OREGON CITIES PO BOX 928 1201 COURT ST NE STE 200 SALEM OR 97308 afogue@orcities.org</p>	<p>JOHN R GALE IDAHO POWER COMPANY PO BOX 70 BOISE ID 83707-0070 rgale@idahopower.com</p>
<p>BERNARDO R GARCIA UTILITY WORKERS UNION OF AMERICA 215 AVENDIA DEL MAR, SUITE M SAN CLEMENTE CA 92672 uwua@redhabanero.com</p>	<p>ANN ENGLISH GRAVATT RENEWABLE NORTHWEST PROJECT 917 SW OAK - STE 303 PORTLAND OR 97205 ann@rnp.org</p>
<p>DAVID E HAMILTON NORRIS & STEVENS 621 SW MORRISON ST STE 800 PORTLAND OR 97205-3825 davidh@norrstev.com</p>	<p>NANCY HARPER IBEW, LOCAL 125 17200 NE SACRAMENTO GRESHAM OR 97230 nancy@ibew125.com</p>
<p>JASON W JONES DEPARTMENT OF JUSTICE REGULATED UTILITY & BUSINESS SECTION 1162 COURT ST NE SALEM OR 97301-4096 jason.w.jones@state.or.us</p>	<p>ANDREA L KELLY PACIFICORP 825 NE MULTNOMAH ST STE 800 PORTLAND OR 97232 andrea.kelly@pacificorp.com</p>

BARTON L KLINE IDAHO POWER COMPANY PO BOX 70 BOISE ID 83707-0070 bkline@idahopower.com	KAITLIN LOVELL TROUT UNLIMITED 213 SW ASH ST, SUITE 205 PORTLAND OR 97204 klovell@tu.org
KATHERINE A MCDOWELL STOEL RIVES LLP 900 SW FIFTH AVE STE 1600 PORTLAND OR 97204-1268 kamcdowell@stoel.com	DANIEL W MEEK DANIEL W MEEK ATTORNEY AT LAW 10949 SW 4TH AVE PORTLAND OR 97219 dan@meek.net
WILLIAM MILLER IBEW, LOCAL 125 17200 NE SACRAMENTO GRESHAM OR 97230 bill@ibew125.com	MARK C MOENCH MIDAMERICAN ENERGY HOLDINGS COMPANY 201 SOUTH MAIN ST, STE 2300 SALT LAKE CITY UT 84111 mcmoench@midamerican.com
CHRISTY MONSON LEAGUE OF OREGON CITIES 1201 COURT ST. NE STE. 200 SALEM OR 97301 cmonson@orcities.org	BARBARA LEE NORMAN KARUK TRIBE OF CALIFORNIA PO BOX 657 YREKA OR 96097 bnorman@karuk.us
MICHAEL W ORCUTT HOOPA VALLEY TRIBE FISHERIES DEPT PO BOX 417 HOOPA CA 95546 director@pcweb.net	LISA F RACKNER ATER WYNNE LLP 222 SW COLUMBIA ST STE 1800 PORTLAND OR 97201-6618 lfr@aterwynne.com
JANET L PREWITT DEPARTMENT OF JUSTICE 1162 COURT ST NE SALEM OR 97301-4096 janet.prewitt@doj.state.or.us	STEVE ROTHERT AMERICAN RIVERS 409 SPRING ST, SUITE D NEVADA CITY CA 95959 srother@americanrivers.org
PETER J RICHARDSON RICHARDSON & O'LEARY PO BOX 7218 BOISE ID 83707 peter@richardsonandoleary.com	THOMAS P SCHLOSSER MORISSET, SCHLOSSER, JOZWIAK & MCGAW 801 SECOND AVE, SUITE 1115 SEATTLE WA 98104-1509 t.schlosser@msaj.com
GREGORY W SAID IDAHO POWER COMPANY PO BOX 70 BOISE ID 83707 gsaid@idahopower.com	THANE SOMERVILLE MORISSET, SCHLOSSER, JOZWAIAK & MCGAW 801 SECOND AVE, SUITE 1115 SEATTLE WA 98104-1509 t.somerville@msaj.com
ROB ROY SMITH MORISSET, SCHLOSSER, JOZWIAK & MCGAW 1115 NORTON BUILDING 801 SECOND AVENUE SEATTLE WA 98104-1509 r.smith@msaj.com	JOHN W STEPHENS ESLER STEPHENS & BUCKLEY 888 SW FIFTH AVE STE 700 PORTLAND OR 97204-2021 stephens@eslerstephens.com

<p>GLEN H SPAIN PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOC PO BOX 11170 EUGENE OR 97440-3370 fish1ifr@aol.com</p>	<p>DOUGLAS C TINGEY PORTLAND GENERAL ELECTRIC 121 SW SALMON 1WTC13 PORTLAND OR 97204 doug.tingey@pgn.com</p>
<p>MARK THOMPSON PUBLIC POWER COUNCIL 1500 NE IRVING STREET, SUITE 200 PORTLAND OR 97232 mthompson@ppcpdx.org</p>	<p>SARAH WALLACE ATER WYNNE LLP 222 SW COLUMBIA STE 1800 PORTLAND OR 97201-6618 sek@aterwynne.com</p>
<p>SANDI R TRIPP KARUK TRIBE DEPT. OF NATURAL RESOURCES PO BOX 1016 HAPPY CAMP CA 95546 stripp@karuk.us</p>	<p>MICHAEL T WEIRICH DEPARTMENT OF JUSTICE REGULATED UTILITY & BUSINESS SECTION 1162 COURT ST NE SALEM OR 97301-4096 michael.weirich@state.or.us</p>
<p>BENJAMIN WALTERS CITY OF PORTAND - OFFICE OF CITY ATTORNEY 1221 SW 4TH AVE - RM 430 PORTLAND OR 97204 bwalters@ci.portland.or.us</p>	<p>LINDA K WILLIAMS KAFOURY & MCDUGAL 10266 SW LANCASTER RD PORTLAND OR 97219-6305 linda@lindawilliams.net</p>
<p>STEVEN WEISS NORTHWEST ENERGY COALITION 4422 OREGON TRAIL CT NE SALEM OR 97305 steve@nwenergy.org</p>	<p>BRIAN JOHNSON TROUT UNLIMITED 825 SAN PABLO AVENUE, SUITE 208 ALBANY, CA 94706 bjohnson@tu.org</p>
<p>PAUL WOODIN WESTERN WIND POWER 282 LARGENT LN GOLDENDALE WA 98620-3519 pwoodin@gorge.net</p>	