

time due to PGE's filing of joint testimony in this proceeding. PGE objects to EVCA separately cross examining its witnesses.

A panel of witnesses is contrary to the purpose of cross examination, and EVCA objects to cross examination of a panel of witnesses. In court proceedings, a party has the right to move that other witnesses be excluded from the hearing room during such questioning on overlapping issues to avoid the witnesses from being "able to tailor their testimony to avoid inconsistencies," or "receive a preview of the questions that are likely to be asked by the opposing attorney on cross-examination."¹ If witnesses can be excluded from the hearing room to protect the integrity of the hearing, then it should be appropriate to separately cross examine individual witnesses, which is a far less rigorous protection.

Dated this 2nd day of October 2017.

Respectfully submitted,



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¹ State v. Cooper, 319 Or. 162, 165 n.2, 874 P.2d 822, 824 n.2 (1994) (internal quotation omitted); see also State v. Larson, 325 Or. 15, 26-27, 933 P.2d 958, 964 (1997); Or. Evid. Code 615.