

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**
UM 1811

In the Matter of)
) ELECTRIC VEHICLE CHARGING
PORTLAND GENERAL ELECTRIC) ASSOCIATION CROSS EXAM
COMPANY,) STATEMENT
)
Application for Transportation Electrification)
Programs _____)

The Electric Vehicle Charging Association (“EVCA”) submits its cross examination statement. EVCA intends to cross examine the following witnesses and the reserves the following amount of time.

<u>Party</u>	<u>Witness</u>	<u>Time</u>	<u>Subject</u>
PGE	Aaron Milano	30 minutes	Settlement
PGE	Jacob Goodspeed	30 minutes	Settlement
Staff	Jason Salmi Klotz	15 minutes	Settlement
Citizens' Utility Board	Bob Jenks	15 minutes	Settlement

EVCA does not intend to cross exam any other witnesses, but reserves the right to cross examine any witnesses that are examined by other parties, the Administrative Law Judge, or the Commissioners.

EVCA requests that it be allowed to cross examine PGE witnesses Aaron Milano and Jacob Goodspeed separately and not as a panel. EVCA has conferred with PGE to ensure that EVCA will not be required to cross examine multiple witnesses at the same

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.