

**BOEHM, KURTZ & LOWRY**

ATTORNEYS AT LAW  
36 EAST SEVENTH STREET  
SUITE 1510  
CINCINNATI, OHIO 45202  
TELEPHONE (513) 421-2255  
TELECOPIER (513) 421-2764

**Via Electronic Mail** [puc.filingcenter@state.or.us](mailto:puc.filingcenter@state.or.us)  
**And Overnight Mail**

November 25, 2009

Public Utility Commission of Oregon  
550 Capitol Street NE, Suite 215  
Salem, Oregon 97310  
Attn: Filing Center

**Re: Case No. UE-210**

Dear Sir or Madam:

Please find enclosed the original and five (5) copies of the SUPPLEMENT OF THE FRED MEYERS STORES AND QUALITY FOOD CENTERS, DIVISIONS OF THE KROGER CO. TO ITS MOTION PRO HAC VICE OF MICHAEL L. KURTZ, KURT J. BOEHM AND JOHN P. LOWRY filed in the above referenced matter.

Copies have been served on all parties of record. Please place this document of file.

Very truly yours,



Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.

**BOEHM, KURTZ & LOWRY**

MLKkew  
Enclosure  
cc: Certificate of Service

## CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served via electronic mail (when available) and regular U.S. Mail (unless otherwise noted), this 25<sup>th</sup> day of November, 2009.

<u>ACTIONS</u>	<u>SERVICE LIST (Parties)</u>	<u>SCHEDULE</u>
<b>W=Waive Paper service</b>	<b>C=Confidential HC=Highly Confidential</b>	<u>Sort by Last Name</u> <u>Sort by Company Name</u>

**W**      **CABLE HUSTON BENEDICT ET AL**

J LAURENCE CABLE (C)      1001 SW 5TH AVE STE 2000  
PORTLAND OR 97204-1136  
lcable@chbh.com

**W**      **CABLE HUSTON BENEDICT  
HAAGENSEN & LLOYD LLP**

RICHARD LORENZ (C)      1001 SW FIFTH AVE - STE 2000  
PORTLAND OR 97204-1136  
rlorenz@cablehuston.com

**W**      **CITIZENS' UTILITY BOARD OF  
OREGON**

GORDON FEIGNER (C)  
ENERGY ANALYST      610 SW BROADWAY, SUITE 308  
PORTLAND OR 97205  
gordon@oregoncub.org

ROBERT JENKS (C)      610 SW BROADWAY STE 308  
PORTLAND OR 97205  
bob@oregoncub.org

G. CATRIONA MCCRACKEN (C)  
LEGAL COUNSEL/STAFF ATTY      610 SW BROADWAY - STE 308  
PORTLAND OR 97205  
catriona@oregoncub.org

**DAVISON VAN CLEVE PC**

MELINDA J DAVISON (C)      333 SW TAYLOR - STE 400  
PORTLAND OR 97204  
mail@dvclaw.com

**DEPARTMENT OF JUSTICE**

JASON W JONES (C)  
ASSISTANT ATTORNEY GENERAL      REGULATED UTILITY & BUSINESS SECTION  
1162 COURT ST NE  
SALEM OR 97301-4096  
jason.w.jones@state.or.us

**W**      **KLAMATH WATER USERS  
ASSOCIATION**

GREG ADDINGTON (C)  
EXECUTIVE DIRECTOR      2455 PATTERSON ST - STE 3  
KLAMATH FALLS OR 97603  
greg@cvcwireless.net

**W**      **MCDOWELL & RACKNER PC**

AMIE JAMIESON (C)      520 SW SIXTH AVE - STE 830

ATTORNEY

PORTLAND OR 97204  
amie@mcd-law.com

KATHERINE A MCDOWELL (C)  
ATTORNEY

520 SW SIXTH AVE - SUITE 830  
PORTLAND OR 97204  
katherine@mcd-law.com

**W**

**PACIFIC POWER & LIGHT**

JOELLE STEWARD (C)  
REGULATORY MANAGER

825 NE MULTNOMAH STE 2000  
PORTLAND OR 97232  
joelle.steward@pacificorp.com

JORDAN A WHITE  
SENIOR COUNSEL

825 NE MULTNOMAH STE 1800  
PORTLAND OR 97232  
jordan.white@pacificorp.com

**W**

**PACIFICORP, DBA PACIFIC  
POWER**

PACIFIC POWER OREGON  
DOCKETS

825 NE MULTNOMAH STREET, STE 2000  
PORTLAND OR 97232  
oregondockets@pacificorp.com

**W**

**PORTLAND GENERAL ELECTRIC**

RANDALL DAHLGREN  
RATES & REGULATORY AFFAIRS

121 SW SALMON ST - 1WTC0702  
PORTLAND OR 97204  
pge.opuc.filings@pgn.com

DOUGLAS C TINGEY  
ASST GENERAL COUNSEL

121 SW SALMON 1WTC13  
PORTLAND OR 97204  
doug.tingey@pgn.com

**PUBLIC UTILITY COMMISSION OF  
OREGON**

DEBORAH GARCIA (C)

PO BOX 2148  
SALEM OR 97308-2148  
deborah.garcia@state.or.us

**RFI CONSULTING INC**

RANDALL J FALKENBERG (C)

PMB 362  
8343 ROSWELL RD  
SANDY SPRINGS GA 30350  
consultrfi@aol.com



---

Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 210**

In the Matter of:	:	SUPPLEMENT OF THE FRED MEYER
PacifiCorp d/b/a Pacific Power's Request for a General Rate	:	STORES, A WHOLLY OWNED
Increase in the Company's Oregon Annual Revenues	:	SUBSIDARY OF KROGER CO TO ITS
	:	MOTION FOR ADMISSION PRO HAC
	:	VICE OF MICHAEL L. KURTZ, KURT
	:	J. BOEHM and JOHN P. LOWRY

---

Pursuant to the Commission ruling of November 13, 2009, Counsel for the Kroger Co. hereby supplements its Motion for Admission Pro Hac Vice with the attached Affidavits of Michael L. Kurtz, Esq., Kurt J. Boehm, Esq., and John P. Lowry, Esq.

Respectfully submitted,



---

Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

**BOEHM, KURTZ & LOWRY**

36 E. Seventh St., Suite 1510

Cincinnati, Ohio 45202

Ph: 513.421.2255 Fax: 513.421.2764

[kboehm@bkllawfirm.com](mailto:kboehm@bkllawfirm.com)

[mkurtz@bkllawfirm.com](mailto:mkurtz@bkllawfirm.com)

November 25, 2009

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 210**

In the Matter of:	:	AFFIDAVIT OF MICHAEL L. KURTZ
PacifiCorp d/b/a Pacific Power's Request for a General Rate	:	COUNSEL FOR THE FRED MEYER
Increase in the Company's Oregon Annual Revenues	:	STORES, A WHOLLY OWNED
	::	SUBSIDIARY OF THE KROGER CO

---

STATE OF OHIO	)	
	) SS	
COUNTY OF HAMILTON	)	

Michael L. Kurtz, being duly sworn, deposes and states that the following is true to his personal knowledge and belief:

1. Michael L. Kurtz, Esq., counsel for the Kroger Co. certifies that he is not subject to pending disciplinary proceedings in any other jurisdiction.
  
2. Michael L. Kurtz will associate with Nona M. Soltero. Ms. Soltero, an attorney licensed to practice law in the State of Oregon, will participate meaningfully in the above-referenced matter. Ms. Soltero's contact information is below and she should be added to the Commission's Certificate of Service.

Nona M. Soltero, Esq. (OSB 82123)  
Corporate Law Dept. #23C  
Fred Meyer Stores, Inc. / Kroger Western Region  
3800 SE 22nd Avenue  
Portland OR 97202  
Ph.: 503.797.3977 Fax: 503.797.5623  
[nona.soltero@fredmeyer.com](mailto:nona.soltero@fredmeyer.com)

3. Michael L. Kurtz, Esq. will comply with all applicable statutes, law and procedural rules of the State of Oregon.
  
4. Counsel will notify the trial court or administrative body promptly of any changes in insurance or status.

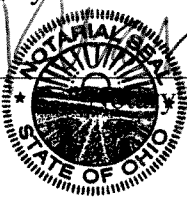
Respectfully submitted,




---

Michael L. Kurtz, Esq.  
Boehm, Kurtz & Lowry  
36 E. Seventh St., Suite 1510  
Cincinnati, Ohio 45202  
Ph: 513.421.2255 Fax: 513.421.2764  
[mkurtz@bkllawfirm.com](mailto:mkurtz@bkllawfirm.com)

Sworn to and subscribed before me on this  
25<sup>th</sup> day of November, 2009.



  
\_\_\_\_\_  
Kimberly Walton  
Notary Public, State of Ohio  
My Commission Expires 08-26-2014

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 210**

In the Matter of:	:	AFFIDAVIT OF KURT J. BOEHM,
PacifiCorp d/b/a Pacific Power's Request for a General Rate	:	COUNSEL FOR THE FRED MEYER
Increase in the Company's Oregon Annual Revenues	:	STORES, A WHOLLY OWNED
	::	SUBSIDIARY OF THE KROGER CO

---

STATE OF OHIO	)	
	) SS	
COUNTY OF HAMILTON	)	

Kurt J. Boehm, Esq., being duly sworn, deposes and states that the following is true to his personal knowledge and belief:

1. Kurt J. Boehm, Esq., counsel for the Kroger Co. certifies that he is not subject to pending disciplinary proceedings in any other jurisdiction.
  
2. Kurt J. Boehm will associate with Nona M. Soltero. Ms. Soltero, an attorney licensed to practice law in the State of Oregon, will participate meaningfully in the above-referenced matter. Ms. Soltero's contact information is below and she should be added to the Commission's Certificate of Service.

Nona M. Soltero, Esq. (OSB 82123)  
Corporate Law Dept. #23C  
Fred Meyer Stores, Inc. / Kroger Western Region  
3800 SE 22nd Avenue  
Portland OR 97202  
Ph:: 503.797.3977 Fax: 503.797.5623  
[nona.soltero@fredmeyer.com](mailto:nona.soltero@fredmeyer.com)

3. Kurt J. Boehm, Esq. will comply with all applicable statutes, law and procedural rules of the State of Oregon.

4. Counsel will notify the trial court or administrative body promptly of any changes in insurance or status.

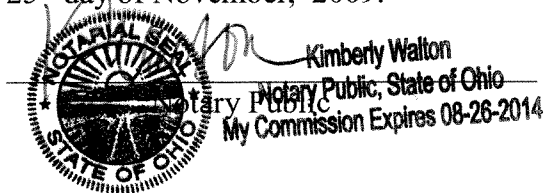
Respectfully submitted,



---

Kurt J. Boehm, Esq.  
Boehm, Kurtz & Lowry  
36 E. Seventh St., Suite 1510  
Cincinnati, Ohio 45202  
Ph: 513.421.2255 Fax: 513.421.2764  
[kboehm@bkllawfirm.com](mailto:kboehm@bkllawfirm.com)

Sworn to and subscribed before me on this  
25<sup>th</sup> day of November, 2009.





**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 210**

In the Matter of:	:	AFFIDAVIT OF JOHN P. LOWRY,
PacifiCorp d/b/a Pacific Power's Request for a General Rate	:	COUNSEL FOR THE FRED MEYER
Increase in the Company's Oregon Annual Revenues	:	STORES, A WHOLLY OWNED
	::	SUBSIDIARY OF THE KROGER CO

---

STATE OF OHIO   )  
  ) SS  
COUNTY OF HAMILTON                                )

John P. Lowry, Esq., being duly sworn, deposes and states that the following is true to his personal knowledge and belief:

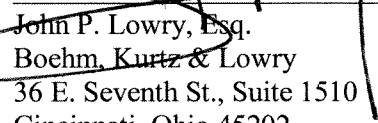
- 5. John P. Lowry, Esq., counsel for the Kroger Co. certifies that he is not subject to pending disciplinary proceedings in any other jurisdiction.
  
- 6. John P. Lowry will associate with Nona M. Soltero. Ms. Soltero, an attorney licensed to practice law in the State of Oregon, will participate meaningfully in the above-referenced matter. Ms. Soltero's contact information is below and she should be added to the Commission's Certificate of Service.

Nona M. Soltero, Esq. (OSB 82123)  
Corporate Law Dept. #23C  
Fred Meyer Stores, Inc. / Kroger Western Region  
3800 SE 22nd Avenue  
Portland OR 97202  
Ph:: 503.797.3977 Fax: 503.797.5623  
[nona.soltero@fredmeyer.com](mailto:nona.soltero@fredmeyer.com)

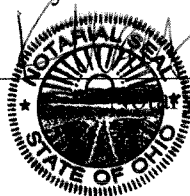
- 7. John P. Lowry, Esq. will comply with all applicable statutes, law and procedural rules of the State of Oregon.


8. Counsel will notify the trial court or administrative body promptly of any changes in insurance or status.

Respectfully submitted,

  
John P. Lowry, Esq.  
Boehm, Kurtz & Lowry  
36 E. Seventh St., Suite 1510  
Cincinnati, Ohio 45202  
Ph: 513.421.2255 Fax: 513.421.2764  
[jlowry@bkllawfirm.com](mailto:jlowry@bkllawfirm.com)

Sworn to and subscribed before me on this  
25<sup>th</sup> day of November, 2009.



  
Kimberly Walton  
Notary Public, State of Ohio  
My Commission Expires 08-26-2014