



**DEPARTMENT OF JUSTICE**  
GENERAL COUNSEL DIVISION

May 17, 2007

Christina M. Hayes  
Administrative Law Judge  
Public Utility Commission  
550 Capitol Street Ne, Suite 215  
Salem, OR 97308-2148

Re: DR 38: Joint Petition for Declaratory Ruling

Dear Judge Hayes:

Staff, PacifiCorp (Pacific Power), and HCA Management Company, LLC hereby submit this joint issues list pursuant to the Prehearing Conference Report dated May 11, 2007. The parties agree to the following formulation of the issues:

1. Prior to the time HB 2247 became effective, was Myra Lynne Mobile Home Park, which was receiving service under Schedule 48<sup>1</sup> from Pacific Power, required as a condition of service to bill each of its sub-metered<sup>2</sup> tenants for electricity at the Pacific Power, Schedule 4<sup>3</sup> rate, in accordance with Pacific Power's Schedule 48 Special Conditions and Rule 2, Section O?

2. In enacting HB 2247, the legislature added ORS 90.532 and ORS 90.536 to the Manufactured Dwelling and Floating Home section, ORS 90.505 to 90.840, of the Residential Landlord Tenant Act. *See* ORS Chapter 90.

a. Under ORS 90.532 and ORS 90.536, may Myrna Lynne Mobile Home Park, as a Schedule 48 customer of Pacific Power, bill each of its sub-metered tenants for electricity at the Schedule 4 Residential Rate, as a condition of service under Schedule 48, and Rule 2, Section O; or

b. Under ORS 90.532 and ORS 90.536, must Myra Lynne Mobile Home Park, as a Schedule 48 customer of Pacific Power, also bill each of its sub-metered tenants at the same Schedule 48 rate it is billed by Pacific Power?

---

<sup>1</sup> Schedule 48 is Pacific Power's general schedule for nonresidential service.

<sup>2</sup> Sub-meters owned by Myra Lynne Mobile Home Park

<sup>3</sup> Schedule 4 is Pacific Power's schedule for residential service.

May 18, 2007

Page 2

3. If Myra Lynne Mobile Home Park is required to bill each of its sub-metered tenants at the Schedule 48 nonresidential rate rather the Schedule 4 residential rate, are the Myra Lynne Mobile Home Park tenants still eligible for the residential credit generally available to residential consumers under Pacific Power's Schedule 98?

If you have any questions about the issues list, please advise the parties. Thank you for your consideration of this matter.

Sincerely,

David B. Hatton  
Assistant Attorney General  
Regulated Utility & Business Section

cc: Michelle Mishoe, PacifiCorp  
John A. Cameron, HCA Management Company  
Deborah Garcia, PUC Staff  
Matthew Sutton  
DBH:dbh/GENT9830

1 **CERTIFICATE OF SERVICE**

2  
3 I certify that on May 17, 2007, I served the foregoing upon all parties of record in this  
4 proceeding by delivering a copy by electronic mail and by mailing a copy by postage prepaid  
5 first class mail or by hand delivery/shuttle mail to the parties accepting paper service.

6  
7 **DAVIS WRIGHT TREMAINE LLP**  
8 JOHN A CAMERON  
1300 SW FIFTH AVENUE STE 2300  
9 PORTLAND OR 97201  
10 johncameron@dwt.com

11 **PACIFIC POWER & LIGHT**  
12 MICHELLE R MISHOE  
13 LEGAL COUNSEL  
14 825 NE MULTNOMAH STE 1800  
15 PORTLAND OR 97232  
16 michelle.mishoe@pacificcorp.com

**PACIFICORP**  
OREGON DOCKETS  
825 NE MULTNOMAH ST  
STE 2000  
PORTLAND OR 97232  
oregondockets@pacificcorp.com

**PUBLIC UTILITY COMMISSION OF OREGON**  
DEBORAH GARCIA  
PO BOX 2148  
SALEM OR 97308-2148  
deborah.garcia@state.or.us

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  


Neoma Lane  
Legal Secretary  
Department of Justice  
Regulated Utility & Business Section