

1 **III. Points and authorities.**

2 PGE filed its integrated resource plan (IRP) on November 5, 2009. On January 14, 2010,
3 PGE sought a stay of the procedural schedule to allow PGE additional time to explore an
4 alternative operating plan for the Boardman plant (operation until 2020). PGE noted that PGE
5 would have to obtain a rule amendment from the Environmental Quality Commission's (EQC)
6 approval in order to implement its alternative operating plan.

7 On April 2, 2010, PGE filed a petition with the EQC asking it to modify its 2009 air
8 pollution control rules for the Boardman coal-fired power plant. The Department of
9 Environmental Quality (DEQ) has recommended that the EQC deny PGE's petition and has
10 asked the EQC to direct the DEQ to initiate rulemaking that is based on a wider range of options
11 as the starting point for revising regional haze pollution controls consistent with an early closure
12 of the Boardman plant.³ The EQC must act on PGE's petition for a revision to air pollution
13 control rules for the Boardman plant no later than July 1, 2010, and is scheduled to consider
14 PGE's petition and the DEQ's recommendation at a hearing on June 17, 2010.⁴

15 Staff asks the ALJ to abate the LC 48 procedural schedule and schedule a prehearing
16 conference the week of July 6, 2010. At that prehearing conference, the ALJ can establish a new
17 procedural schedule that will give parties sufficient opportunity to incorporate any impact of
18 pending actions by the EQC and DEQ into their LC 48 analysis.

19 Staff does not ask that the ALJ reschedule the June 23, 2010 public meeting to be held in
20 Portland. The Sierra Club and other parties have informed Staff that moving the meeting would
21 be a hardship.

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26 ³ See <http://www.deq.state.or.us/about/eqc/agendas/2010/2010junEQCAgenda.htm>

⁴ *Id.*

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CONCLUSION

For the foregoing reasons, Staff asks the administrative law judge to abate the procedural schedule in this docket, with the exception of the June 23, 2010 public meeting, and schedule a prehearing conference the week of July 6, 2010, to set a new schedule.

DATED this 10th day of June 2010.

Respectfully submitted,

JOHN R. KROGER
Attorney General



Stephanie S. Andrus, #92512
Senior Assistant Attorney General
Of Attorneys for Staff of the Public Utility
Commission of Oregon

Andrus Stephanie

From: Andrus Stephanie [stephanie.andrus@state.or.us]
Sent: Wednesday, June 09, 2010 3:52 PM
To: abaldwin@lclark.edu; SIMMONS Andrea F; bbottomly@portlandalliance.com; ben.walters@portlandoregon.gov; bob@oregoncub.org; bruce.reemsnyder@williams.com; brucekaser@comcast.net; burton@ccba.biz; catriona@oregoncub.org; corky@columbiacorridor.org; david.tooze@portlandoregon.gov; denise.saunders@pgn.com; edelson8@comcast.net; gloria.smith@sierraclub.org; gordon@oregoncub.org; greg@richardsonandoleary.com; ias@dvclaw.com; ivan.maluski@sierraclub.org; janag@oeonline.org; jane.f.harrison@williams.com; Prewitt Janet; jason@salemchamber.org; jbishop@mbjlaw.com; jess@caporegon.org; jholmes@emoregon.org; johndilorenzo@dwt.com; johnledger@aoi.org; jordan.white@pacificorp.com; jprescott@pngcpower.com; jschlueter@westside-alliance.org; katie@oregonfb.org; kayteisl@orcattle.com; ken@nmp.org; kevin.lynn@iberdrolausa.com; PHEIL Kip; laplante@lclark.edu; lauren@columbiariverkeeper.org; lcable@cablehouston.com; marcy@ibew125.com; marktrinchero@dwt.com; GALBRAITH Maury; nearly@icnu.org; mec@eslerstephens.com; megan@nmp.org; michael.armstrong@portlandoregon.gov; michael@gorgefriends.org; mike@salemchamber.org; msr@nedc.org; pbarrow@nwfp.org; pete.warnken@pacificorp.com; peter@richardsonandoleary.com; pge.opuc.filings@pgn.com; psnider@aocweb.org; r_swinburnson@verizon.net; ray@ofic.com; rburstedt@sedcor.com; rcbaysinger@tid.org; rkahn@nippc.org; rlrenz@cablehouston.com; rphelps@republicservices.com; Andrus Stephanie; stephens@eslerstephens.com; steve@nwenergy.org; steve@wilsonvillechamber.com; susan@bomaportland.org; terry@ofsonline.org; thomassonc@comcast.net; toan.nguyen@iberdrolausa.com; SATYAL Vijay A
Cc: GORSUCH Lisa
Subject: RE: Proposal for delay in LC 48 procedural schedule

All,

Please see below for information on staff's proposed motion to modify procedural schedule in LC 48. In addition to including a technical workshop that is not in the current schedule, staff intends to propose an additional opportunity for intervenor comment on August 13, 2010. So, the proposed schedule we present to the ALJ will be as follows:

July 30 -- PGE files reply comments
 August 13-- Intervenors file comments re: PGE's July 30 comments (new)**

TBA -- OPUC Public Meeting in Portland
 TBA -- Public Meeting workshop at OPUC(new)

August 27 -- Staff files proposed order and comments
 September 20 -- Parties file comments on proposed order
 TBA- Public Meeting

**Although I have listed the August 13th date prior to the Public Meeting in Portland and the technical workshop in Salem, I do not know whether the August 13th comment date will actually precede these two events. The scheduling of the two August meetings is up to the Commission.

Stephanie Andrus
 (503) 947-4760

-----Original Message-----

From: Andrus Stephanie [mailto:stephanie.andrus@state.or.us]
Sent: Wednesday, June 09, 2010 3:40 PM
To: abaldwin@lclark.edu; SIMMONS Andrea F; bbottomly@portlandalliance.com;

ben.walters@portlandoregon.gov; bob@oregoncub.org; bruce.reemsnyder@williams.com; brucekaser@comcast.net; burton@ccba.biz; catriona@oregoncub.org; corky@columbiacorridor.org; david.tooze@portlandoregon.gov; denise.saunders@pgn.com; edelson8@comcast.net; gloria.smith@sierraclub.org; gordon@oregoncub.org; greg@richardsonandoleary.com; ias@dvclaw.com; ivan.maluski@sierraclub.org; janag@oeconline.org; jane.f.harrison@williams.com; Prewitt Janet; jason@salemchamber.org; jbishop@mbjlaw.com; jess@caporegon.org; jholmes@emoregon.org; johndilorenzo@dwt.com; johnledger@aoi.org; jordan.white@pacificcorp.com; jprescott@pngcpower.com; jschlueter@westside-alliance.org; katie@oregonfb.org; kayteisl@orcattle.com; ken@rnp.org; kevin.lynch@iberdrolausa.com; PHEIL Kip; laplante@lclark.edu; lauren@columbiariverkeeper.org; lcable@cablehouston.com; marcy@ibew125.com; marktrinchero@dwt.com; GALBRAITH Maury; nearly@icnu.org; mec@eslerstephens.com; megan@rnp.org; michael.armstrong@portlandoregon.gov; michael@gorgefriends.org; mike@salemchamber.org; msr@nedc.org; pbarrow@nwfpa.org; pete.warnken@pacificcorp.com; peter@richardsonandoleary.com; pge.opuc.filings@pgn.com; psnider@aocweb.org; r_swinburnson@verizon.net; ray@ofic.com; rburstedt@sedcor.com; rcbaysinger@tid.org; rkahn@nippc.org; rlorenz@cablehouston.com; rphelps@republicservices.com; stephanie.andrus@state.or.us; stephens@eslerstephens.com; steve@nwenergy.org; steve@wilsonvillechamber.com; susan@bomaportland.org; terry@ofsonline.org; thomassonc@comcast.net; toan.nguyen@iberdrolausa.com; SATYAL Vijay A

Cc: GORSUCH Lisa

Subject: Proposal for delay in LC 48 procedural schedule

PGE and LC 48 intervenors,

Tomorrow, June 10, staff will file a motion in LC 48 asking for a delay in the LC 48 procedural schedule. The delay is to allow PGE, staff, and intervenors opportunity to incorporate into the analysis in this docket the impact of the EQC's decision on PGE's petition for revisions to the air pollution control rules related to the Boardman plant, as well as any alternative rules that may be proposed by the DEQ if the EQC denies PGE's petition. The EQC is scheduled to consider PGE's petition at a public meeting on June 17, 2010.

PGE is currently scheduled to file comments on June 11, 2010. Accordingly, I will file the motion on staff's behalf tomorrow and seek expedited consideration. **Please respond to this e-mail no later than 10 a.m. tomorrow (June 10) if you object to the delay and I will note your objection in the motion.**

The current schedule is:

June 11 -- PGE files reply Comments
 June 23 -- OPUC Public Meeting in Portland
 July 9 -- Staff files proposed order and comments
 July 30 -- PGE/Intervenors comment on proposed order
 August 24-- Public Meeting

The proposed schedule is:

July 30 -- PGE files reply comments
 TBA -- OPUC Public Meeting in Portland
 TBA -- Public Meeting workshop at OPUC*
 August 27 -- Staff files proposed order and comments
 September 20 -- Parties file comments on proposed order
 TBA- Public Meeting

*This meeting is an addition to the procedural schedule. Staff intends that the focus would be on technical issues and that the format would be a round-table type, with Commissioners in attendance.

Thank you for your attention.

Stephanie S. Andrus
 Of Counsel for Staff
 (503) 947-4760

1 **CERTIFICATE OF SERVICE**

2 I certify that on June 10, 2010, I served the foregoing Staff Motion upon the parties in
3 this proceeding by electronic mail and by sending a true, exact and full copy by regular mail,
4 postage prepaid, or by hand-delivery/shuttle, to the parties accepting paper service.

5 **W**
6 BRUCE A KASER
7 PO BOX 958
8 SILVERTON OR 97381-0958
9 brucekaser@comcast.net

10 **W**
11 RYAN M SWINBURNSON
12 COUNSEL FOR MORROW COUNTY
13 515 N NEEL ST
14 KENNEWICK WA 99336
15 r_swinburnson@verizon.net

16 **W**
17 ***DEPARTMENT OF JUSTICE**
18 JANET L PREWITT (C)
19 ASSISTANT AG
20 NATURAL RESOURCES SECTION
21 1162 COURT ST NE
22 SALEM OR 97301-4096
23 janet.prewitt@doj.state.or.us

24 **W**
25 ***OREGON DEPARTMENT OF ENERGY**
26 KIP PHEIL (C)
27 SENIOR POLICY ANALYST
28 625 MARION ST NE - STE 1
29 SALEM OR 97301-3737
30 kip.pheil@state.or.us

31 VIJAY A SATYAL (C)
32 SENIOR POLICY ANALYST
33 625 MARION ST NE
34 SALEM OR 97301
35 vijay.a.satyal@state.or.us

36 **W**
37 **ASSOCIATED OREGON INDUSTRIES**
38 JOHN LEDGER
39 1149 COURT ST NE
40 SALEM OR 97301
41 johnledger@aoi.org

42 **ASSOCIATION OF OREGON COUNTIES**
43 PAUL SNIDER
44 PO BOX 12729
45 SALEM OR 97309
46 psnider@aocweb.org

BOMA PORTLAND
SUSAN STEWARD
EXECUTIVE DIRECTOR
200 SW MARKET, SUITE 1710
PORTLAND OR 97201
susan@bomaportland.org

W
CABLE HUSTON BENEDICT ET AL
J LAURENCE CABLE (C)
1001 SW 5TH AVE STE 2000
PORTLAND OR 97204-1136
lcable@cablehuston.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 FEIGHNER (C)
ENERGY ANALYST
610 SW BROADWAY, SUITE 308
PORTLAND OR 97205
gordon@oregoncub.org

ROBERT JENKS (C)
EXECUTIVE DIRECTOR
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

W
CITY OF PORTLAND - CITY ATTORNEY'S OFFICE
BENJAMIN WALTERS (C)
CHIEF DEPUTY CITY ATTORNEY
1221 SW 4TH AVE - RM 430
PORTLAND OR 97204
ben.walters@portlandoregon.gov

1 **W**
2 **CITY OF PORTLAND - PLANNING &**
3 **SUSTAINABILITY**
4 MICHAEL ARMSTRONG (C)
5 SUSTAINABILITY MANAGER
6 1900 SW 4TH AVE, STE 7100
7 PORTLAND OR 97201
8 michael.armstrong@portlandoregon.gov

9 DAVID TOOZE (C)
10 SENIOR ENERGY SPECIALIST
11 1900 SW 4TH STE 7100
12 PORTLAND OR 97201
13 david.tooze@portlandoregon.gov

14 **W**
15 **CLACKAMAS COUNTY BUSINESS ALLIANCE**
16 BURTON WEAST
17 EXECUTIVE DIRECTOR
18 300 OSWEGO POINTE DR, STE 220
19 LAKE OSWEGO OR 97034
20 burton@ccba.biz

21 **W**
22 **COLUMBIA CORRIDOR ASSOCIATION**
23 CORKY COLLIER
24 PO BOX 55651
25 PORTLAND OR 97238
26 corky@columbiacorridor.org

1 **W**
2 **COLUMBIA RIVERKEEPER**
3 LAUREN GOLDBERG (C)
4 724 OAK STREET
5 HOOD RIVER OR 97031
6 lauren@columbiariverkeeper.org

7 **W**
8 **COMMUNITY ACTION PARTNERSHIP OF**
9 **OREGON**
10 JESS KINCAID
11 ENERGY PARTNERSHIP COORDINATOR
12 PO BOX 7964
13 SALEM OR 97301
14 jess@caporegon.org

15 **W**
16 **DAVIS WRIGHT TREMAINE LLP**
17 JOHN DILORENZO
18 1300 SW FIFTH AVE, STE 2300
19 PORTLAND OR 97201
20 johndilorenzo@dwt.com

21 MARK P TRINCHERO
22 1300 SW FIFTH AVE STE 2300
23 PORTLAND OR 97201-5682
24 marktrincher@dwt.com

25
26

DAVISON VAN CLEVE
IRION A SANGER (C)
ASSOCIATE ATTORNEY
333 SW TAYLOR - STE 400
PORTLAND OR 97204
ias@dvclaw.com

W
ECUMENICAL MINISTRIES OF OREGON
JAMES EDELSON
415 NE MIRIMAR PL
PORTLAND OR 97232
edelson8@comcast.net

W
ECUMENICAL MINISTRIES OF OREGON
JENNY HOLMES
ENVIRONMENTAL MINISTRIES DIRECTOR
0245 SW BANCROFT, SUITE B
PORTLAND OR 97239
jholmes@emoregon.org

W
ESLER STEPHENS & BUCKLEY
JOHN W STEPHENS (C)
888 SW FIFTH AVE STE 700
PORTLAND OR 97204-2021
stephens@eslerstephens.com;
mec@eslerstephens.com

W
FRIENDS OF COLUMBIA GORGE
MICHAEL LANG (C)
522 SW FIFTH AVENUE, SUITE 720
PORTLAND OR 97204
michael@gorgefriends.org

IBERDROLA RENEWABLES, INC
KEVIN LYNCH
1125 NW COUCH ST STE 700
PORTLAND OR 97209
kevin.lynch@iberdrolausa.com

TOAN-HAO NGUYEN
1125 NW COUCH ST
PORTLAND OR 97209
toan.nguyen@iberdrolausa.com

IBEW LOCAL 125
MARCY PUTMAN
POLITICAL AFFAIRS & REPRESENTATIVE
17200 NE SACRAMENTO STREET
PORTLAND OR 97230
marcy@ibew125.com

1 **INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES**

2 MICHAEL EARLY
EXECUTIVE DIRECTOR
3 1300 SW 5TH AVE, STE 1750
PORTLAND OR 97204-2446
4 mearly@icnu.org

5 **W NORTHWEST ENERGY COALITION**

STEVEN WEISS
6 SR POLICY ASSOCIATE
4422 OREGON TRAIL CT NE
7 SALEM OR 97305
steve@nwenergy.org

8 **W NORTHWEST ENVIRONMENTAL DEFENSE CENTER**

9 MARK RISKEDAHL
10015 SW TERWILLIGER BLVD
10 PORTLAND OR 97219
msr@nedc.org

11 **NORTHWEST FOOD PROCESSORS ASSOCIATION**

12 DAVID ZEPPONI
PRESIDENT
13 8338 NE ALTERWOOD RD, STE 160
PORTLAND OR 97220
14 pbarrow@nwfpa.org

15 **W NORTHWEST PIPELINE GP**

JANE HARRISON (C)
16 MGR-MARKETING SERVICES
295 CHIPETA WAY
17 SALT LAKE CITY UT 84158
jane.f.harrison@williams.com

18 BRUCE REEMSNYDER (C)
SENIOR COUNSEL
19 295 CHIPETA WAY
SALT LAKE CITY UT 84108
20 bruce.reemsnyder@williams.com

21 **W NW INDEPENDENT POWER PRODUCERS**

ROBERT D KAHN
22 EXECUTIVE DIRECTOR
1117 MINOR AVENUE, SUITE 300
23 SEATTLE WA 98101
rkahn@nippc.org

24 **OREGON AFL-CIO**

JOHN BISHOP
25 1635 NW JOHNSON ST
PORTLAND OR 97209
26 jbishop@mbjlaw.com

OREGON CATTLEMEN'S ASSOCIATION

KAY TEISL
3415 COMMERCIAL ST SE, SUITE 217
SALEM OR 97302
kayteisl@orcattle.com

W OREGON DEPARTMENT OF ENERGY

ANDREA F SIMMONS (C)
625 MARION ST NE
SALEM OR 97301-3737
andrea.f.simmons@state.or.us

W OREGON ENVIORNMENTAL COUNCIL

JANA GASTELLUM
PROGRAM DIRECTOR, GLOBAL WARMING
222 NW DAVIS ST, STE 309
PORTLAND OR 97309-3900
janag@oeconline.org

W OREGON FARM BUREAU FEDERATION

KATIE FAST
3415 COMMERCIAL ST SE
SALEM OR 97302
katie@oregonfb.org

W OREGON FOREST INDUSTRIES COUNCIL

RAY WILKESON
PO BOX 12826
SALEM OR 97309
ray@ofic.com

W OREGON SIERRA CLUB

IVAN MALUSKI
1821 SE ANKEY ST
PORTLAND OR 97214
ivan.maluski@sierraclub.org

W OREGONIANS FOR FOOD AND SHELTER

TERRY WITT
EXECUTIVE DIRECTOR
1149 COURT ST SE, STE 110
SALEM OR 97301
terry@ofsonline.org

W PACIFIC ENVIRONMENTAL ADVOCACY CENTER

AUBREY BALDWIN (C)
STAFF ATTORNEY/CLINICAL PROFESSOR
10015 SW TERWILLIGER BLVD
PORTLAND OR 97219
abaldwin@lclark.edu

1 **W**
2 **PACIFIC ENVIRONMENTAL ADVOCACY**
3 **CENTER**

4 ALLISON LAPLANTE (C)
5 10015 SW TERWILLIGER BLVD
6 PORTLAND OR 97219
7 laplante@lclark.edu

8 **W**
9 **PACIFIC POWER & LIGHT**

10 JORDAN A WHITE
11 SENIOR COUNSEL
12 1407 W. NORTH TEMPLE, STE 320
13 SALT LAKE CITY UT 84116
14 jordan.white@pacificcorp.com

15 **W**
16 **PACIFICORP ENERGY**

17 PETE WARNKEN
18 MANAGER, IRP
19 825 NE MULTNOMAH - STE 600
20 PORTLAND OR 97232
21 pete.warnken@pacificorp.com

22 **W**
23 **PHYSICIANS FOR SOCIAL RESPONSIBILITY-**
24 **OREGON CHAPTE**

25 CATHERINE THOMASSON
26 CLIMATE CHANGE CHAIR OREGON PSR
1227 NE 27TH #5
PORTLAND OR 97232
thomassonc@comcast.net

1 **W**
2 **PNGC POWER**

3 JOHN PRESCOTT
4 PRESIDENT AND CEO
5 711 NE HALSEY
6 PORTLAND OR 97232
7 jprescott@pngcpower.com

8 **W**
9 **PORTLAND BUSINESS ALLIANCE**

10 BERNIE BOTTOMLY
11 200 SW MARKET, STE 150
12 PORTLAND OR 97201
13 bbottomly@portlandalliance.com

14 **W**
15 **PORTLAND GENERAL ELECTRIC**

16 PATRICK G HAGER (C)
17 MANAGER - REGULATORY AFFAIRS
18 121 SW SALMON ST 1WTC0702
19 PORTLAND OR 97204
20 pge.opuc.fillings@pgn.com

PORTLAND GENERAL ELECTRIC

DENISE SAUNDERS (C)
ASST GENERAL COUNSEL
121 SW SALMON ST - 1WTC1711
PORTLAND OR 97204
denise.saunders@pgn.com

PUBLIC UTILITY COMMISSION

MAURY GALBRAITH
PO BOX 2148
SALEM OR 97308
maury.galbraith@state.or.us

W
RENEWABLE NORTHWEST PROJECT

MEGAN WALSETH DECKER
SENIOR STAFF COUNSEL
917 SW OAK, STE 303
PORTLAND OR 97205
megan@rnp.org

KEN DRAGOON
917 SW OAK, SUITE 303
PORTLAND OR 97205
ken@rnp.org

W
RICHARDSON & O'LEARY

GREGORY M. ADAMS (C)
ATTORNEY
PO BOX 7218
BOISE ID 83702
greg@richardsonandoleary.com

W
RICHARDSON & O'LEARY PLLC

PETER J RICHARDSON (C)
PO BOX 7218
BOISE ID 83707
peter@richardsonandoleary.com

W
SALEM CHAMBER OF COMMERCE

MIKE MCLARAN
CHIEF EXECUTIVE OFFICER
1110 COMMERCIAL ST SE
SALEM OR 97301
mike@salemchamber.org;
jason@salemchamber.org

1 **SEDCOR**
RAYMOND BURSTEDT
2 PRESIDENT
625 HIGH ST NE, STE 200
3 SALEM OR 97301
rburstedt@sedcor.com



5
6 Neoma Lane
Legal Secretary
7 Department of Justice
Regulated Utility & Business Section
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26