

May 5, 2023

VIA ELECTRONIC FILING

Public Utility Commission of Oregon

Attn: Filing Center

201 High Street SE, Suite 100

Salem, OR 97301-3398

Re: Docket No PCN 5 -Intervenor Motion to consider additional changes to the schedule for CPN-5 contested case timeframes.

Judge Moser: and Judge Mellgren:

I submitted a response to Idaho Power's recommendations at 1:18 p.m. today. It went to the mailing list and Judge Mellgren who I believed would be making any decisions regarding the schedule timeframes. It did not go to Judge Moser who issued the revised order today at approximately 5:00 p.m. Since Ellie Knoll was not in the office, the submission did not get published and Judge Moser apparently was not made aware of it prior to issuing the revised schedule consistent with the request from Idaho Power. Please consider the following motion for a revised schedule for submissions in the above case for the stated reasons:

Dear Judges:

You have indicated a desire to have as complete a record of the PUC decisions in this action as possible. Given this, petitioners have made very limited recommendations for excluding Exhibits submitted by Idaho Power and Pacificorp. On the other hand, Idaho Power and PacificCorp have made extensive objections to Exhibits submitted by the citizen petitioners. The objections are so extensive as to deny citizen petitioners and the Public Utility Commission the ability to provide documentation of multiple issues which they have referenced and provided testimony on throughout this proceeding. Because of the number of citizen exhibits which are now in question the public is not able to develop their closing arguments until after the decision is made regarding what can be referenced.

Idaho Power has been made aware of the arguments that petitioners have developed throughout the proceeding including references to documents supporting their concerns which are being objected to. A review of the testimony and Data Requests which have been made allows Idaho Power to reliably predict the content of closing arguments and it is likely that they are already drafting their reply arguments knowing they are able to reference virtually all exhibits they requested use of. Since the closing arguments must be consistent with the material previously submitted, Idaho Power is in the enviable position of being able to predict and develop their response arguments without ever seeing hat the public briefs include.

For the above reasons, it is reasonable to provide the public time to develop their Opening Briefs once they are made aware of the exhibits available to them that is equal to that provided Idaho Power and PacifiCorp to make adjustments to their Reply Briefs in the event that petitioner Opening Briefs do not include all predicted issues. Please consider the following adjustments to setting the evidentiary record to provide opportunity for the public to make arguments that can be supported by exhibits while complying with Idaho Power concerns' regarding a timely final order.

EVENT	ORIGINAL DATE	REVISED DATE
ALJ Ruling on Objection	May 9, 2023	May 9, 2023
Opening Briefs	May 11, 2023	May 17, 2023
Reply Briefs	May 25, 2023	May 25, 2023
Final Order	June 30, 2023	June 30, 2023

Respectfully submitted,

(s)Greg Larkin

Greg Larkin

DOCKET PCN 5 – CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2023 Greg Larkin submitted the above Motion to Adjust Opening Briefs Deadline was served in person to the following person:

John C. Williams

PO Box 1384

La Grande, Oregon 97850

(s) Greg Larkin

Greg Larkin, Petitioner