

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 UE 374

4 In the Matter of

5 PACIFICORP, dba PACIFIC POWER,
6 Request for a General Rate Revision.

STAFF'S MOTION FOR CLARIFICATION
Expedited Consideration Requested

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8 Pursuant to OAR 860-001-0420(2) and (6), Staff of the Public Utility Commission of
9 Oregon (Staff) respectfully submits this Motion for Clarification on Administrative Law Judge
10 (ALJ) Lackey's June 30, 2020 Ruling on the amended procedural schedule in the above-
11 captioned proceeding.

12 On June 29, 2020, Staff filed a stipulated motion to amend the procedural schedule in UE
13 374 related to Coal Decommissioning in consideration of the timing of the Independent
14 Evaluator's (IE) report filed on June 22, 2020. In that Motion, Staff's intent was to request that
15 only those Coal Decommissioning Costs and IE Report be subject to a schedule change, but that
16 all other issues would remain subject to the previously approved schedule. On June 30, 2020,
17 ALJ Lackey granted Staff's motion. The Ruling does not contain discussion of departing from
18 the Parties' requested schedule; however, it includes a table of the remaining events for the UE
19 374 schedule, which did not include an entry for Staff & Intervenor Rebuttal and Cross-
20 Answering Testimony for issues other than Coal Decommissioning Costs and IE Report to be
21 filed on July 24, 2020, consistent with the previously approved schedule. Therefore, out of an
22 abundance of caution, Staff seeks clarification that ALJ Lackey's ruling on Staff's Motion was
23 intended to maintain the July 24, 2020 due date for Staff & Intervenor Rebuttal and Cross-
24 Answering Testimony on all other issues.

25 Staff notes that the parties to this proceeding were all in agreement with testimony for
26 issues other than Coal Decommissioning Costs and the IE Report being due on July 24, 2020,

1 and did not consider accelerating the timeline for that testimony. Staff is concerned that an
 2 accelerated due date for all issues would be incredibly burdensome, given the timing for
 3 discovery turn-around and internal review times, etc. In discussing this Motion with other
 4 parties, two additional issues were raised that Staff also seeks to clarify. First, Oregon Citizens'
 5 Utility Board's (CUB's) issue regarding whether coal decommissioning costs should be non-
 6 bypassable in transition charges will be addressed in Staff & Intervenor's July 24, 2020
 7 testimony. Second, because the Alliance of Western Energy Coalition (AWEC) included coal
 8 decommissioning costs in its Opening Testimony, and PacifiCorp replied to that testimony in its
 9 Reply Testimony, AWEC's response to PacifiCorp will also be included in its testimony on July
 10 24, 2020. AWEC's response to the IE Report will be filed on July 17, 2020.

11 As such, Staff requests clarification that the following schedule is approved:

Event	Date
Settlement Conference ¹	July 14-15, 2020
Staff and Intervenor Rebuttal and Cross-Answering Testimony on Coal Decommissioning Costs ² and Independent Evaluator Report	July 17, 2020
Staff and Intervenor Rebuttal and Cross-Answering Testimony on All Other Issues ³	July 24, 2020
Company Surrebuttal Testimony on All Issues	August 14, 2020
Pre-Hearing Briefs, Cross-Examination Statements, and Exhibits (all parties)	August 31, 2020
Hearing	September 9-10, 2020
Company Opening Brief	September 28, 2020
Staff and Intervenor Opening Brief	October 12, 2020
Company Closing Brief	October 19, 2020

23 ¹ Workshop/settlement conference dates are included in the schedule for the parties'
 24 convenience. The parties do not need Commission approval to reschedule workshops or
 settlement conferences.

25 ² AWEC will address this issue in its July 24, 2020 Rebuttal Testimony; all other parties will
 address this issue in their July 17, 2020 testimony, as appropriate.

26 ³ This testimony will include responses to CUB's proposal that decommissioning costs should be
 non-bypassable in transition charges.

1	Oral Argument	November 3, 2020
2	Commission Order (target)	December 16, 2020
3	Rates Effective	January 1, 2021

4 Staff has conferred with all parties to this proceeding, and did not receive any objections prior to
5 filing. Staff respectfully requests that the time for replies be shortened given the proximity to
6 proposed testimony on July 17, 2020.

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8 DATED this 7th day of July, 2020.

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Respectfully submitted,

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ELLEN F. ROSENBLUM
Attorney General

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/s/ Sommer Moser

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Assistant Attorney General
Of Attorneys for Staff of the Public Utility
Commission of Oregon

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