

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**
3 **UM 1725**

4 In the Matter of

5 IDAHO POWER COMPANY

6 Application to Lower Standard Eligibility cap
7 and to Reduce the Standard Contract Term, for
8 Approval of Solar Integration Charge, and for
9 Change in Resource Sufficiency
10 Determination.

MOTION FOR LEAVE TO FILE A RESPONSE

11 Staff of the Public Utility Commission of Oregon (Staff) requests leave to file a response
12 to the Motion for Clarification of the Community Renewable Energy Association and the
13 Renewable Energy Coalition (“Motion for Clarification”) and Portland General Electric
14 Company’s Response in Opposition to Motion for Clarification of the Community Renewable
15 Energy Association and the Renewable Energy Coalition (PGE Response).¹ Counsel for Staff
16 conferred with counsel for PGE, REC and CREA regarding the request to file a response to
17 CREA and REC’s motion, which addressed PGE’s response, out of time. CREA, REC, and PGE
18 do not object to Staff’s request to file a response out of time.

19 On April 14, 2016, CREA and REC asked the Commission to clarify that Order No. 16-
20 129 did not order Idaho Power to modify the start date for the fixed-price term of its PURPA
21 contracts. Staff’s response to the motion was due on April 29, 2016.² Staff did not file a
22 response to the request for clarification filed by CREA and REC because Staff believed it is clear
23 that the Commission did not intend to order Idaho Power to modify the terms of its PURPA
24 contracts by changing the start date for the fixed-price terms.

25 ¹ The Staff Response to Motion for Clarification is submitted along with this motion.

26 ² OAR 860-001-0420(4) (A response to a substantive motion must be filed within 15 days of
filing of the motion.)

1 Staff's assumption that there is no dispute about the Commission's intention proved to be
2 incorrect. PGE filed a response on April 29, 2016, opposing the request for clarification.

3 OAR 860-001-0420(5) allows a moving party to file a reply to a response to a substantive
4 motion within 7 days of the date the response was filed. The rule does not expressly authorize
5 non-movants to file a reply. Staff asks for that opportunity, or in the alternative, to respond to
6 REC and CREA's motion out of time, to provide its position regarding the motion of REC and
7 CREA and PGE's response.

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9 DATED this 6th day of May 2016.

10 Respectfully submitted,

11 ELLEN F. ROSENBLUM
12 Attorney General

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14 _____
15 Stephanie S. Andrus, #92512
16 Senior Assistant Attorney General
17 Of Attorneys for Staff of the Public Utility
18 Commission of Oregon