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Via Electronic Mail – PUC.FilingCenter@state.or.us

March 6, 2023

Public Utility Commission of Oregon
201 High Street SE, Suite 100
Salem, Oregon 97301-3398
Attn: Filing Center

Re: Case No. UE-416

Dear Sir or Madam:

Please find attached the PETITION TO INTERVENE OF FRED MEYER STORES AND QUALITY FOOD CENTERS, DIVISIONS OF THE KROGER CO. for filing in the above referenced matter.

Copies have been served on all parties of record. Please place this document of file.

Very truly yours,

Kurt J. Boehm

Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

BOEHM, KURTZ & LOWRY

KJBkew
Enclosure

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UE 416**

In The Matter Of	:	PETITION TO INTERVENE OF
	:	FRED MEYER STORES AND
PORTLAND GENERAL ELECTRIC	:	QUALITY FOOD CENTERS,
COMPANY	:	DIVISIONS OF
Request for a General Rate Revision	:	THE KROGER CO.

Pursuant to ORS §756.525 and OAR §860-001-0300, the Fred Meyer Stores and Quality Food Centers, Divisions of The Kroger Co. (“Fred Meyer”) hereby petitions to intervene in this proceeding with full party status as described in OAR §860-001-0010(7). In support of this petition, Fred Meyer represents as follows:

<p>NAME OF PETITIONER: Fred Meyer Stores and Quality Food Centers, Divisions of The Kroger Co.</p> <p>ADDRESS: Attn: Sr. Category Manager - Facilities 1014 Vine Street, Cincinnati, OH 45202</p> <p>PHONE NUMBER: 513-864-7610</p> <p>E-MAIL ADDRESS: christopher.cunningham@kroger.com Please do NOT include this contact on service list)</p>

<p>NAME OF COUNSEL FOR PETITIONER: Kurt J. Boehm and Jody Kyler Cohn BOEHM, KURTZ & LOWRY</p> <p>COUNSEL’S ADDRESS: 36 East Seventh St., Suite 1510, Cincinnati, OH 45202</p> <p>COUNSEL’S PHONE NUMBER: 513-421-2255</p> <p>COUNSEL’S E-MAIL ADDRESS: kboehm@BKLawfirm.com jkylercohn@BKLawfirm.com</p>
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<p>NAME OF CONSULTANT FOR PETITIONER: Justin Bieber, Energy Strategies LLC</p> <p>CONSULTANT’S ADDRESS: 111 E Broadway, Suite 1200, Salt Lake City, UT 84111</p> <p>CONSULTANT’S PHONE NUMBER: 801-355-4365</p> <p>CONSULTANT’S E-MAIL ADDRESS: jbieber@energystrat.com</p>
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IF THE PETITIONER IS AN ORGANIZATION, THE NUMBER OF MEMBERS IN AND THE PURPOSES OF THE ORGANIZATION:

The Petitioner is seeking intervention on its own behalf as a customer of Portland General Electric Company. Petitioner is not seeking intervention in this matter as a member of a trade group or other organization.

NATURE AND EXTENT OF THE PETITIONER'S INTEREST IN THE PROCEEDING:

Petitioner operates approximately 36 grocery and discount department stores in the service territory of Portland General Electric Company. The total load of Petitioner is approximately 32 MW. Petitioner has a substantial and diverse interest in the outcome of this case that cannot be adequately represented by any other party.

THE ISSUES THE PETITIONER INTENDS TO RAISE AT THE PROCEEDING:

The primary issue Fred Meyer intends to address in this case will be whether the rate increase sought by the Applicant is reasonable and cost justified. We also intend to address whether the proposed allocation of the rate increase and the design of the new rates are just and reasonable.

ANY SPECIAL KNOWLEDGE OR EXPERTISE OF THE PETITIONER THAT WOULD ASSIST THE COMMISSION IN RESOLVING THE ISSUES IN THE PROCEEDING:

The Kroger Co., the owner of Fred Meyer Stores Inc. and Quality Food Centers, operates in 31 states and has approximately 3500 locations nationwide. Petitioner's regulatory counsel has extensive experience in all facets of electricity law. We expect to retain expert witnesses, as necessary. This broad familiarity with ratemaking policy gives Petitioner special expertise that will assist the Commission in deciding the issues in this proceeding.

Fred Meyer is in the process of engaging local counsel and will filing a pro hac vice motion shortly.

Based on the information provided above in accordance with the Commission's rules of procedure, Fred Meyer Stores and Quality Food Centers, Divisions of The Kroger Co. requests to participate in this proceeding as an intervenor with full party status. Petitioner represents that it will not unreasonably broaden the issues, burden the record, or unreasonably delay the proceeding.

/s/ Kurt J. Boehm
Kurt. J. Boehm, Esq.
Jody Kyler Cohn, Esq.
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E-mail: kboehm@bkllawfirm.com
jkylercohn@bkllawfirm.com

Dated: March 6, 2023

**COUNSEL FOR FRED MEYER STORES AND
QUALITY FOOD CENTERS,
DIVISIONS OF THE KROGER CO.**