



CITY OF SALEM, OREGON  
LEGAL DEPARTMENT / ROOM 205  
555 Liberty Street SE, 97301  
Telephone: (503) 588-6003  
FAX: (503) 361-2202  
TDD: (503) 588-6009

---

**City Attorney**  
C. Randall Tosh  
**Assistant City Attorneys**  
Sally L. Avera  
Aaron Felton  
Sharman Meiners  
Sean O'Day

July 28, 2005

Hon. Christina Smith  
Administrative Law Judge  
Oregon Public Utility Commission  
550 Capitol Street NE  
Salem, OR 97310

**VIA ELECTRONIC MAIL AND  
FIRST CLASS MAIL**

Re: UF 4218/UM 1206 – In the Matter of Portland General Electric Company  
Application for an Order Authorizing Issuance of 62,500,000 Shares of New  
Common Stock Pursuant to ORS 757.410 *et seq.* and In the Matter of Stephen Forbes  
Cooper, LLC

Dear Judge Smith:

Enclosed for filing please find an original and five copies of the Petition of City of Salem, Oregon, to Intervene and to participate as a party. Copies of this petition have been submitted by electronic mail to the UF 4218/UM 1206 service list as posted on the Public Utility Commission of Oregon's website, for this matter.

Please do not hesitate to contact me if you have any questions.

Sincerely,

/s/ C. Randall Tosh

C. Randall Tosh  
City Attorney

Enclosures  
c: UF 4118/UM 1206 Service List

■ ADA ACCOMMODATIONS ON REQUEST ■

G:\Group\LEGAL1\Rtosh\PUC\PUC petition.wpd

**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

**UF 4218  
UM 1206**

In the Matter of the Application of )  
PORTLAND GENERAL ELECTRIC )  
COMPANY for an Order Authorizing the )  
Issuance of 62,500,000 Shares of New )  
Common Stock Pursuant to ORS 757.410 )  
et seq. (UF 4218) )

PETITION OF THE CITY OF SALEM,  
OREGON TO INTERVENE AND  
PARTICIPATE AS A PARTY

And )

In The Matter of the Application of )  
STEPHEN FORBES COOPER, LLC, as )  
Disbursing Agent, on behalf of the )  
RESERVE FOR DISPUTED CLAIMS )  
Application for an Order Allowing the )  
Reserve for Disputed Claims to Acquire )  
the Power to Exercise Substantial )  
Influence over the Affairs and Policies of )  
Portland General Electric Company )  
Pursuant to ORS 757.511 (UM 1206) )

**CITY OF SALEM’S PETITION TO INTERVENE**

Pursuant to ORS 756.525 and OAR 860-012-0021, the City of Salem, Oregon (the City) hereby respectfully submits this Petition to Intervene in the above-encaptioned proceeding and seeks leave to intervene as a party. In support of its petition, the City represents as follows:

- 1. The business address for the City as a party of record in this proceeding is:

Robert G. Wells, City Manager  
City of Salem  
555 Liberty Street SE, Room 220  
Salem, OR, 97301

Email: [bwells@cityofsalem.net](mailto:bwells@cityofsalem.net)  
Fax: 503-588-6354

3. Service of papers and correspondence related to this proceeding should be made upon the City's legal counsel in this proceeding, as follows:

C. Randall Tosh  
City Attorney  
City of Salem  
555 Liberty Street SE, Room 205  
Salem, OR, 97301  
Tel.: 503-588-6003  
Fax: 503-361-2202  
E-mail: [rtosh@cityofsalem.net](mailto:rtosh@cityofsalem.net)

3. The City is an Oregon municipal corporation, organized under the Charter of the City of Salem, and existing under the laws of the State of Oregon.
4. The City has a substantial interest in this proceeding. Portland General Electric(PGE) and Stephen Forbes Cooper, LLC (SFC) filed a Joint Application before the Public Utility Commission (the Commission), wherein PGE requests an order authorizing the issuance of 62,500,000 shares of common stock (New PGE Common Stock), and SFC requests an order authorizing the "Reserve for Disputed Claims" to hold more than five percent of the New PGE Common Stock. As stated in the Joint Application, PGE and SFC seek to transfer 100% of PGE's common equity from Enron Corporation (Enron) to Enron's creditors and other debtors, by canceling the existing PGE common stock held by Enron and by issuing the New PGE Common Stock to Enron's creditors.
5. The City will be affected by the outcome of this proceeding and is particularly concerned about the potential impact upon electricity rates, services, and reliability, because: (a) PGE supplies electricity to the City and provides much of the electricity to citizens residing within the Salem city limits; (b) the City and PGE have shared efforts over time in addressing routine issues related to PGE's work in the City's public right-of-way

including the relocation of facilities, issuance of permits, and related compensation; and  
(c) the City has been actively tracking and involved in issues related to the future of PGE, particularly after Enron commenced Chapter 11 proceedings.

6. As noted above, the City has interests, experience and expertise the City can draw upon to assist the Commission during this proceeding.
7. As an intervening party in this proceeding, the City intends to address issues the City finds relevant to the City's interests, during the time set for action.
8. The City's participation in the proceeding will assist the Commission in resolving the issues, and will not unreasonably broaden the issues, unduly burden the record, or delay the proceeding. No other party can adequately represent the City's interest, and the City will be affected by any Commission determination made in this proceeding. It is in the public interest to allow the City to intervene in this proceeding.

WHEREFORE, the City Of Salem respectfully requests that the Public Utility Commission grant this Petition to Intervene and order all the rights of a party for the City of Salem, in this proceeding.

DATED: July 28, 2005.

Respectfully submitted,

CITY OF SALEM  
Legal Department

/s/ C. Randall Tosh

By: \_\_\_\_\_  
C. Randall Tosh, OSB #94033  
City Attorney  
Of Attorneys for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing PETITION OF CITY OF SALEM TO INTERVENE AND PARTICIPATE AS A PARTY on:

PUC Administrative Hearings Division  
550 Capitol Street, NE, Suite 215  
Salem, Oregon 97310-2551

on the 28<sup>th</sup> day of July, 2005, by electronic copy to Case Manager, Bryan Conway, email address: [bryan.conway@state.or.us](mailto:bryan.conway@state.or.us) and by mailing the original and five copies of said document contained in a sealed envelope with postage prepaid, and deposited in the post office at Salem, Oregon, on said day.

I further certify that I served a copy of the foregoing PETITION OF CITY OF SALEM TO INTERVENE AND PARTICIPATE AS A PARTY on the following Persons by electronically mailing copies, and by mailing full, true and correct copies of said document contained in a sealed envelope with postage prepaid, and deposited in the post office at Salem, Oregon, on said day to the individuals on the attached Service List .

DATED this 28<sup>th</sup> day of July, 2005.

/s/ C. Randall Tosh

\_\_\_\_\_  
C. Randall Tosh, OSB #94033  
City Attorney  
Of Attorneys for Petitioner City of Salem

PGE MUTUAL UTILITY, INC  
5 CENTERPOINTE DR  
SUITE 400  
LAKE OSWEGO OR 97035

JIM ABRAHAMSON  
COMMUNITY ACTION DIRECTORS OF OREGON  
4035 12TH ST CUTOFF SE STE 110  
SALEM OR 97302  
jim@cado-oregon.org

SUSAN ANDERSON  
CITY OF PORTLAND OFFICE OF  
SUSTAINABLE DEV  
721 NW 9TH AVE -- SUITE 350  
PORTLAND OR 97209-3447  
susananderson@ci.portland.or.us

STEPHANIE S ANDRUS  
DEPARTMENT OF JUSTICE  
REGULATED UTILITY & BUSINESS SECTION  
1162 COURT ST NE  
SALEM OR 97301-4096  
stephanie.andrus@state.or.us

KEN BEESON  
EUGENE WATER & ELECTRIC BOARD  
500 EAST FOURTH AVENUE  
EUGENE OR 97440-2148  
ken.beeson@eweb.eugene.or.us

LOWREY R BROWN  
CITIZENS' UTILITY BOARD OF OREGON  
610 SW BROADWAY, SUITE 308  
PORTLAND OR 97205  
lowrey@oregoncub.org

J LAURENCE CABLE  
CABLE HUSTON BENEDICT ET AL  
1001 SW 5TH AVE STE 2000  
PORTLAND OR 97204-1136  
lcable@chbh.com

JOAN COTE  
OREGON ENERGY COORDINATORS  
ASSOCIATION  
2585 STATE ST NE  
SALEM OR 97301  
cotej@mwwcaa.org

MELINDA J DAVISON  
DAVISON VAN CLEVE PC  
333 SW TAYLOR, STE. 400  
PORTLAND OR 97204  
mail@dvclaw.com

J JEFFREY DUDLEY  
PORTLAND GENERAL ELECTRIC  
121 SW SALMON ST 1WTC1300  
PORTLAND OR 97204  
jay.dudley@pgn.com

JASON EISDORFER  
CITIZENS' UTILITY BOARD OF OREGON  
610 SW BROADWAY STE 308  
PORTLAND OR 97205  
jason@oregoncub.org

JAMES F FELL  
STOEL RIVES LLP  
900 SW 5TH AVE STE 2600  
PORTLAND OR 97204-1268  
jffell@stoel.com

DAVID KOOGLER  
ENRON CORPORATION  
PO BOX 1188  
HOUSTON TX 77251-1188  
david.koogler@enron.com

GEOFFREY M KRONICK LC7  
BONNEVILLE POWER ADMINISTRATION  
PO BOX 3621  
PORTLAND OR 97208-3621  
gmkronick@bpa.gov

GORDON MCDONALD  
PACIFIC POWER & LIGHT  
825 NE MULTNOMAH STE 800  
PORTLAND OR 97232  
gordon.mcdonald@pacificcorp.com

DANIEL W MEEK  
DANIEL W MEEK ATTORNEY AT LAW  
10949 SW 4TH AVE  
PORTLAND OR 97219  
dan@meek.net

MICHAEL M MORGAN  
TONKON TORP LLP  
888 SW 5TH AVE STE 1600  
PORTLAND OR 97204-2099  
mike@tonkon.com

LAWRENCE REICHMAN  
PERKINS COIE LLP  
1120 NW COUCH ST - 10 FL  
PORTLAND OR 97209-4128  
lreichman@perkinscoie.com

BENJAMIN WALTERS  
CITY OF PORTLAND - OFFICE OF CITY  
ATTORNEY  
1221 SW 4TH AVE - RM 430  
PORTLAND OR 97204  
bwalters@ci.portland.or.us

PGE- OPUC FILINGS  
RATES & REGULATORY AFFAIRS  
PORTLAND GENERAL ELECTRIC  
COMPANY  
121 SW SALMON STREET, 1WTC0702  
PORTLAND OR 97204  
pge.opuc.filings@pgn.com

CRAIG SMITH  
BONNEVILLE POWER ADMINISTRATION  
PO BOX 3621--L7  
PORTLAND OR 97208-3621  
cmsmith@bpa.gov