

1 4. The City of Portland is centrally concerned with the outcome of this proceeding
2 and its effect on rates, service, and utility management.

3 (a) PacifiCorp is one of two private electric utilities serving customers within the
4 City’s geographical boundaries. PacifiCorp provides electricity services, utility management, and
5 related services to the citizens of Portland. Under authority of its city charter and state law, the
6 City has the responsibility and obligation to protect the interests of its citizens in public utility
7 matters;

8 (b) The City has broad authority under its home rule charter to oversee the activities
9 of utilities within its boundaries, including through the establishment of franchises and the
10 issuance of permits, and is also responsible for the orderly management of public rights-of-way
11 within its boundaries;

12 (c) The City has responsibilities under its home rule charter to oversee the activities of
13 utilities within its boundaries, including through the establishment of franchises and the issuance
14 of permits, and is also responsible for the orderly management of public rights-of-way within its
15 boundaries. The Portland City Council has exercised this authority in adopting Portland City
16 Code (“PCC”) 17.24.010(A), which requires that a permit be obtained from the City Engineer
17 before any public utility may work in the public right-of-way. PCC 17.24.010(B) restricts the
18 issuance of street construction permits to persons holding current franchises or other grant of
19 authority from the City;

20 (d) PacifiCorp operates within the City under the authority of a twenty-year electricity
21 franchise granted by the City Council in October, 1986 (Ordinance No. 159059). The franchise is
22 due to expire in October, 2006. PacifiCorp’s franchise with the City establishes the terms and
23 conditions for the utility’s use of the streets and public ways within the City for transmitting and
24 distributing electrical energy and for constructing, operating and maintaining poles, conduits and
25 other facilities, including a reporting requirements for energy conservation measures undertaken
26 within the City; and,

1 (e) The City and PacifiCorp have a long history of working cooperatively together to
2 promote energy efficiency through community-based projects including, among others, the Green
3 Neighborhood Network, Block By Block Weatherization, Multifamily Weatherization and BEST
4 (Businesses for an Environmentally Sustainable Tomorrow).

5 5. As an intervenor in this proceeding, the City will address such issues as it deems
6 relevant to its interests, including issues that it identifies itself within the time set for such action
7 and issues identified by others that may affect City interests.

8 6. Because of its own authority over utilities and its experience both in regulating and
9 cooperating with PacifiCorp, the City has knowledge and expertise that can assist the Commission
10 in reviewing this application.

11 7. The City's appearance and participation will not unreasonably broaden the issues,
12 burden the record, or otherwise delay this proceeding.

13 THEREFORE, the City of Portland respectfully requests an order from the Commission
14 authorizing it to intervene as a party in this proceeding.

15 Dated this 10th day of August, 2005.

16 Respectfully submitted,

17
18 /s/ Benjamin Walters
19 Benjamin Walters, OSB #85354
20 Senior Deputy City Attorney
21 Of Attorneys for City of Portland
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1 CERTIFICATE OF SERVICE

2 I hereby certify that I filed the foregoing PETITION OF CITY OF PORTLAND TO
3 INTERVENE AS A PARTY to:

4 PUBLIC UTILITY COMMISSION OF OREGON
5 ATTN: FILING CENTER
6 550 CAPITOL ST NE #215
7 PO BOX 2148
8 SALEM OR 97308-2148
9 Fax No. (503) 378-6163

10 on the 10th day of August, 2005, by electronic copy to e-mail address
11 PUC.FilingCenter@state.or.us and by mailing the original and one copy of said document,
12 contained in a sealed envelope with postage paid, and deposited in the post office at Portland,
13 Oregon on said day.

14 I further certify that I served a copy of the foregoing PETITION OF CITY OF
15 PORTLAND TO INTERVENE AS A PARTY on the individuals on the attached Service List by
16 electronic mail or by U.S. Postal Service to individuals without electronic mail in a sealed
17 envelope with postage paid, and deposited in the post office at Portland, Oregon on said day.

18 DATED this 10th day of August, 2005.

19 /s/ Benjamin Walters
20 Benjamin Walters, OSB #85354
21 Senior Deputy City Attorney
22 Of Attorneys for City of Portland
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UM 1209 Service List

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