

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

PCN 5

In the Matter of

IDAHO POWER COMPANY,

Petition for Certificate of Public
Convenience and Necessity.

PREHEARING CONFERENCE
MEMORANDUM

On October 11, 2022, the Public Utility Commission of Oregon held a prehearing conference in this docket. Idaho Power Company (Idaho Power), Commission Staff, and Stop B2H Coalition (Stop B2H) appeared through their representatives, proposed-intervenor Margie Marie Lyon appeared personally, and interested members of the public also appeared at the prehearing conference.

At the prehearing conference, no party indicated an intent to object to Margie Marie Lyon's petition to intervene in this matter. I found Ms. Lyon had sufficient interest in the proceedings, and that her appearance and participation will not unreasonably broaden the issues, burden the record, or delay the proceedings.¹ I then granted Ms. Lyon's petition to intervene.

During the prehearing conference, I explained the difference between intervenors and interested persons, and explained how one could seek interested person status in this docket.² To clarify, an interested person receives notifications of filings made and documents issued by the Commission or ALJ in this proceeding. An interested person is not a party to the proceeding, and is not entitled to file pleadings, present evidence for the record, conduct cross-examination of witnesses, become a signatory to a protective order, or file briefs. To become an interested person, one should contact the filing center at puc.filingcenter@puc.oregon.gov, request to be listed as an interested person in the PCN 5 docket, and provide their name and contact information.

In advance of the prehearing conference, Idaho Power and Staff submitted a proposed procedural schedule. The Parties had an opportunity to engage in an off-the-record conversation on the proposed schedule in my absence. Subsequently, the Parties were given the opportunity to explain their positions on the record regarding the proposed schedule and answer my questions regarding it. Non-party individuals also provided their perspectives on the proposed schedule. I took all comments, proposals, and requests under advisement.

After considering the proposed schedule from Idaho Power and Staff as well as comments from the Parties and other individuals, I establish and adopt the below procedural schedule. Deadlines related to workshops and data request responses are provided for the parties'

¹ OAR 860-001-0300(6).

² OAR 860-001-0300(7).

convenience and do not require Commission approval to be rescheduled. Unless other arrangements are made by the Parties, Idaho Power shall be responsible for setting up the appropriate video conference details for any such workshops and distributing them to the parties and any proposed intervenors. Neither the Commissioners nor the Administrative Hearings Division will attend such workshops.

Event	Date
Public Comment Hearing – In-Person, Gilbert Event Center, Eastern Oregon University, La Grande, Oregon	November 16, 2022, 6:00-8:00 p.m.
Staff and Intervenors’ Deadline for Topics for Initial IPC-Led Workshop	November 22, 2022
Public Comment Hearing – Remote via Zoom Video Conference	December 5, 2022, 6:00-7:30 p.m.
Initial IPC-led Workshop	December 8, 2022
Scoping Workshop for Parties to Identify Issues of Concern That They Expect to Raise in Testimony	December 15, 2022
Requested deadline to file Petitions to Intervene ³	December 16, 2022, 3:00 p.m.
Staff and Intervenor Opening Testimony	January 9, 2023, 3:00 p.m.
Idaho Power Reply Testimony	February 13, 2023, 3:00 p.m.
Data Request Responses Due (best efforts)	February 17, 2023
Staff and Intervenors’ Cross-Answering and Rebuttal Testimony	March 3, 2023, 3:00 p.m.
Idaho Power Surrebuttal Testimony	March 21, 2023, 3:00 p.m.
Witness List and Cross-Exam Statements	March 27, 2023, 3:00 p.m.
Exhibits	March 30, 2023, 3:00 p.m.
Evidentiary Hearing – Hybrid In-Person/Remote; TENTATIVE In-Person Component at OPUC Office, Salem, Oregon ⁴	April 5-6, 2023, time TBD
All Party Opening Briefs	April 27, 2023, 3:00 p.m.
All Party Reply Briefs	May 11, 2023
Target Date for Commission Decision	June 16, 2023

Note the hearing dates are subject to change to accommodate Commission scheduling needs. While Idaho Power and Staff requested a one-day evidentiary hearing, the Parties should be prepared for the hearing to extend into a second day if needed. While subject to change, the Commission intends to conduct a hybrid evidentiary hearing in-person at the Commission’s Hearing Room in Salem, Oregon, with remote participation options for people that cannot

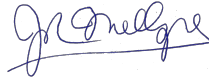
³ By statute, a person may petition to intervene at any time before the close of the record. *See* ORS 756.525, though interventions are requested as early as possible, and the schedule may not be changed to accommodate late interventions. I request that the parties include any prospective intervenor in the workshops even if the petition to intervene has not yet been ruled upon. Any intervenor is subject to reasonable conditions on their participation in these proceedings. *See* OAR 860-001-0300(6).

⁴ Scheduling the evidentiary hearing in April 2023 has presented significant logistical challenges. Should these dates present a truly unavoidable conflict for the parties, please send an email to Ellie Knoll (ellie.knoll@puc.oregon.edu) by Friday, October 21, 2022 to explain the conflict.

meet in Salem. More details on the hearings, including confirming dates, locations, and in-person/remote options will be provided in subsequently issued scheduling memoranda.

All filings submitted in this proceeding are due by 3:00 p.m. to provide adequate processing time for the Filing Center. Filings submitted after 3:00 p.m. will be considered filed on the following business day.

Dated this 17th day of October, 2022, at Salem, Oregon.



John Mellgren
Administrative Law Judge