

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 178

In the Matter of)	
)	
PORTLAND GENERAL ELECTRIC)	
COMPANY,)	RULING
)	
Filing of tariffs establishing automatic)	
adjustment clause under the terms of SB 408.)	

DISPOSITION: ICNU'S MOTION TO ALLOW CROSS-EXAMINATION BY TELEPHONE CONDITIONALLY GRANTED

On February 27, 2009, the Industrial Customers of Northwest Utilities (ICNU) filed a motion to allow cross-examination of ICNU's witness, Ellen Blumenthal, to proceed via telephone. ICNU seeks expedited consideration of its motion, but does not state whether Portland General Electric Company (PGE) opposes the motion.

ICNU argues that Ms. Blumenthal should not be required to travel from Texas to Oregon to appear live for cross-examination during the hearing currently scheduled for March 4, 2009. According to ICNU, Ms. Blumenthal's testimony is very limited in nature, and PGE will not be deprived of due process by conducting cross-examination via telephone. ICNU asserts that allowing Ms. Blumenthal to testify via telephone will save travel and lodging costs, which may be unnecessary should PGE choose not to cross-examine Ms. Blumenthal.¹

ICNU's motion is conditionally GRANTED. If a hearing is held on March 4, 2009, Ms. Blumenthal may appear for cross-examination via telephone. PGE may still file any objections it has to ICNU's motion. If it appears after PGE's objections are filed that PGE should have the opportunity to cross-examine Ms. Blumenthal in person, an additional hearing may be scheduled at a later date.

Dated this 2nd day of March, 2009, at Salem, Oregon.

Lisa D. Hardie
Administrative Law Judge

UE 178 Ruling 3-2-09

¹ ICNU asserts that PGE has chosen not to cross-examine ICNU witnesses in prior proceedings, even after PGE filed cross-examination statements indicating that it would.