

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UE 217

In the Matter of  
  
PACIFICORP, dba PACIFIC POWER  
  
Request for a General Rate Revision.

RULING

DISPOSITION: PROCEDURAL SCHEDULE MODIFIED; PETITION TO INTERVENE GRANTED; MOTIONS FOR ADMISSION *PRO HAC VICE* GRANTED.

**Procedural Schedule**

The procedural schedule previously adopted in this docket is modified to accommodate the Commissioners' availability for oral argument:

EVENT	DATE
Pacific Power Supplemental Testimony on ROE <sup>1</sup>	April 15, 2010
Settlement Conference <sup>2</sup>	June 7-8, 2010
Proposed Budgets for Intervenor Funding	June 9, 2010
Staff and Intervenor Opening Testimony	June 21, 2010
Pacific Power Reply Testimony	August 3, 2010
Staff and Intervenor Rebuttal Testimony	September 7, 2010
Pacific Power Surrebuttal Testimony	September 24, 2010
Cross-Examination Statements	October 4, 2010
Commission Examination <sup>3</sup>	October 7, 2010
Hearing	October 7-8, 2010 (following Commission Examination)
Joint Briefing Outline Submitted to ALJ	October 13, 2010
Simultaneous Opening Briefs	October 27, 2010
Simultaneous Reply Briefs	November 8, 2010

<sup>1</sup> For purposes of this schedule, workpapers should be filed on the same day as the testimony they support.

<sup>2</sup> Settlement conference dates are provided for the parties' convenience. The parties do not need Commission approval to reschedule settlement conferences.

<sup>3</sup> The Commission Examination will be an opportunity for the Commissioners or Administrative Law Judge to examine the witnesses in the docket on the record regarding prefiled testimony or testimony in support of a stipulation. Before the examination, the ALJ will issue a ruling stating which witnesses must attend.

<b>Oral Argument</b>	November 19, 2010 (afternoon) <b>November 30, 2010</b>
Target Date for Commission Decision	December 20, 2010

**Fred Meyer's Motion for Admission *Pro Hac Vice***

On March 15, 2010, Fred Meyers Stores and Quality Food Centers, Divisions of Kroger Co. (Fred Meyer) filed a Motion for Admission Pro Hac Vice of Kurt J. Boehm. In its motion, Fred Meyer seeks to admit Mr. Boehm, a licensed attorney in good standing in Ohio and Kentucky, as counsel *pro hac vice* to associate with Oregon attorney Nona M. Soltero. No objection to the motion was filed.

The motion fulfills the requirements of Uniform Trial Court Rules 3.170 for participation of counsel licensed in another jurisdiction to appear before the Public Utility Commission of Oregon *pro hac vice*. The motion to admit Kurt J. Boehm as counsel *pro hac vice* is granted.


**Walmart's Petition to Intervene and Motion for Admission *Pro Hac Vice***

On March 17, 2010, Wal-Mart Stores, Inc. and Sam's West, Inc. (collectively, Walmart), filed a petition to intervene in the above-captioned proceedings, as well as a motion for admission *pro hac vice* of attorney Holly Rachel Smith. No objection was filed to either motion.

I find that Walmart has sufficient interest in the proceeding to intervene, and that its appearance and participation will not unreasonably broaden the issues, burden the record, or unreasonably delay the proceeding. See OAR 860-012-0001. Walmart's petition to intervene is granted.

Walmart also seeks to admit Ms. Smith, a licensed attorney in good standing in the Commonwealths of Virginia and Pennsylvania, as well as the District of Columbia, as counsel *pro hac vice* to associate with Oregon attorney Elizabeth C. Knight. The motion fulfills the requirements of UTCR 3.170 for participation of counsel licensed in another jurisdiction to appear before the Public Utility Commission of Oregon *pro hac vice*. The motion to admit Holley Rachel Smith as counsel *pro hac vice* is granted.

Dated this 30<sup>th</sup> day of March, 2010, at Salem, Oregon.



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Lisa D. Hardie  
Administrative Law Judge