

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1129

In the Matter of)	
)	
PUBLIC UTILITY COMMISSION OF)	
OREGON)	RULING
)	
Staff's Investigation Relating to Electric)	
Utility Purchases from Qualifying Facilities.)	

DISPOSITION: MOTION TO AMEND OPENING TESTIMONY GRANTED

On January 19, 2006, Staff of the Public Utility Commission of Oregon (Commission) filed a motion to strike (Motion) a portion of its opening testimony. Staff seeks to strike the testimony of Lisa Schwartz at Staff/1000, Schwartz/52, lines 23-26: "PGE did not provide responsive answers to several of Staff's data requests on this subject. See PGE's responses to Staff Data Requests 50, 51 and 52; Staff/1003, Schwartz/18-20." Staff also asks to strike the referenced data requests, as filed at Staff/1003, Schwartz/18-20). Staff indicates that the misunderstanding with Portland General Electric Company (PGE) underlying the original testimony has been resolved and that PGE has satisfactorily supplemented its responses to the data requests at issue.

As Staff's Motion seeks to modify its own testimony, as opposed to the testimony of another party, the Motion will be construed, for purposes of this ruling, as a motion to amend testimony, rather than as a motion to strike. The Motion results from an agreement with PGE, and there is no reason to anticipate any other party objecting to Staff modifying its testimony. For these reasons, the Motion, as it has been construed, is granted. Staff's testimony is modified, as requested. Parties should strike out the portion of Staff's testimony identified herein.

Dated this 23rd day of January, 2006, at Salem, Oregon.

Traci A. G. Kirkpatrick
Administrative Law Judge