

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1546

THREEMILE CANYON WIND I, LLC,

vs.

PACIFICORP, dba PACIFIC POWER,

Pursuant to ORS 756.500.

RULING

DISPOSITION: MOTION TO LIFT STAY DENIED

On September 18, 2012, Threemile Canyon Wind I, LLC (Complainant) filed a motion seeking relief from the stay in these proceedings. Complainant notes that this matter was stayed last October pending the outcome of docket UE 235, which itself has been inactive since December 2011. Complainant requests the stay in this complaint be lifted and a conference be scheduled to establish a new schedule.

On September 25, 2012, PacifiCorp, dba Pacific Power, filed a response in opposition. Pacific Power notes that the third-party transmission issue raised here will likely be addressed in a newly opened generic docket, UM 1610, to address issues related to Qualifying Facilities (QF). Pacific Power also notes that complainant is not prejudiced by the stay, because the company has extended the short-term power purchase agreement (PPA) to maintain the status quo while the delay continues.

Complainant's motion is denied. As Pacific Power notes, the Commission recently opened docket UM 1610 to address QFs issues, generally. Although the issues list in that docket has not been finalized, the Commission will likely resolve the third-party transmission issue raised in this complaint. Because that matter affects utilities and QFs other than Pacific Power and Complainant, all related legal and policies issues should be addressed in docket UM 1610. Furthermore, because Pacific Power has been willing to extend the short-term PPA to maintain the status quo, there is no need to lift the stay originally issued in this docket.

Dated this 22nd day of October, 2012, at Salem, Oregon.



Michael Grant
Chief Administrative Law Judge