

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1734

In the Matter of

PACIFICORP, dba PACIFIC POWER,

Application to Reduce the Qualifying  
Facility Contract Term and Lower the  
Qualifying Facility Standard Contract  
Eligibility Cap.

RULING

DISPOSITION: MOTION DEFERRED; PROCEEDINGS TO CONTINUE  
AS SCHEDULED

On November 13, 2015, Obsidian Renewables, LLC (Obsidian), filed a motion to hold this proceeding in abeyance until the Commission rules on its petition for rulemaking, docket AR 593. PacifiCorp, dba Pacific Power; the Community Renewable Energy Association (CREA); and the Commission Staff filed responses to the motion. Obsidian filed a reply<sup>1</sup>.

In its present motion, Obsidian is essentially adding a procedural argument to its earlier support of a motion to dismiss this proceeding filed by CREA and the Renewable Energy Coalition (REC). Following the Commission's denial of CREA's and REC's motion, a procedural schedule was established, with Obsidian's concurrence, including dates for the submission of testimony, prehearing briefs, hearing, and reply briefs. Testimony was filed by Obsidian, other intervenors and Staff on October 15 and cross-response testimony was filed on November 13, 2015. Obsidian did not file cross-response testimony.

The motion is deferred. PacifiCorp's reply testimony is due tomorrow, December 10, 2015. Prehearing briefing and the hearing itself are scheduled for less than a month from now, with post-hearing briefs in February. Once these remaining procedural phases have been completed, the record can be closed and await the Commission's action. At that time, the Commission will consider the substantive aspects of Obsidian's motion and render a decision in the manner it ultimately sees fit.

Dated this 9<sup>th</sup> day of December at Salem, Oregon.

  
Allan J. Arlow  
Administrative Law Judge

<sup>1</sup> Obsidian's reply was due December 7, 2015. The Commission received its filing after hours that day, so it was officially received a day late, on December 8, 2015.