

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1811

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,

Application for Transportation
Electrification Programs.

RULING

DISPOSITION: PETITION TO INTERVENE GRANTED

I grant the petition to intervene filed by the Electric Vehicle Charging Association (EVCA) over the objection filed by Portland General Electric Company (PGE).

The statutory standard governing intervention in Commission proceedings is broad. ORS 756.525(2) allows a person to seek permission to participate in a proceeding at any time before the final taking of evidence. The Commission must consider the interests of the petitioner and grant a petition where the petitioner has sufficient interest in the proceedings and such participation will not unreasonably broaden the issues, burden the record, or delay the proceedings. Participation may be conditioned as appropriate to ensure that the intervenor's participation is consistent with these standards.

I find that EVCA has sufficient interest to participate in this proceeding. EVCA is a non-profit organization dedicated to education about the role of electric vehicle (EV) technology, infrastructure, and services, and advocacy for policies that will expand clean transportation. EVCA describes its members as a diverse array of EV-related companies including those that sell, own, install, service, and maintain charging stations and power distribution units, support the commercialization of new alternative fuel and renewable energy technologies, and develop and operate software for the management of charging stations and EV drivers.

I further find that, despite the late date of its petition to intervene, EVCA's participation will not unreasonably broaden the issues or burden the record. EVCA has expressly stated that it has no interest in delaying the proceeding and commits not

to advocate or propose any changes to the procedural schedule that have not already been requested by another party. EVCA further commits to submit testimony and legal pleadings only on issues already identified by the parties.

Upon review of the petition, the opposition filed by PGE, the response filed by ChargePoint, Inc., and the reply filed by EVCA, I find that EVCA has met the standards to intervene in this proceeding.¹ The petition to intervene is therefore granted.

EVCA is granted party status to participate in this proceeding as of the current procedural status of this docket. On June 27, 2017 a stipulation was filed along with joint supporting testimony of PGE and most intervenors in the docket. Any objections to this stipulation are due within 15 days of the filing of the stipulation.²

Dated this 30th day of June, 2017, at Salem, Oregon.



Ruth Harper
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures

¹ The argument that EVCA's interests are already adequately represented by the current intervenors is not a relevant consideration in applying these standards.

² OAR 860-001-0350(8).

NOTICE OF CONTESTED CASE RIGHTS AND PROCEDURES

Oregon law requires state agencies to provide parties written notice of contested case rights and procedures. Under ORS 183.413, you are entitled to be informed of the following:

Hearing: The time and place of any hearing held in these proceedings will be noticed separately. The Commission will hold the hearing under its general authority set forth in ORS 756.040 and use procedures set forth in ORS 756.518 through 756.610 and OAR Chapter 860, Division 001. Copies of these statutes and rules may be accessed via the Commission's website at www.puc.state.or.us. The Commission will hear issues as identified by the parties.

Right to Attorney: As a party to these proceedings, you may be represented by counsel. Should you desire counsel but cannot afford one, legal aid may be able to assist you; parties are ordinarily represented by counsel. The Commission Staff, if participating as a party in the case, will be represented by the Department of Justice. Generally, once a hearing has begun, you will not be allowed to postpone the hearing to obtain counsel.

Administrative Law Judge: The Commission has delegated the authority to preside over hearings to Administrative Law Judges (ALJs). The scope of an ALJ's authority is defined in OAR 860-001-0090. The ALJs make evidentiary and other procedural rulings, analyze the contested issues, and present legal and policy recommendations to the Commission.

Hearing Rights: You have the right to respond to all issues identified and present evidence and witnesses on those issues. See OAR 860-001-0450 through OAR 860-001-0490. You may obtain discovery from other parties through depositions, subpoenas, and data requests. See ORS 756.538 and 756.543; OAR 860-001-0500 through 860-001-0540.

Evidence: Evidence is generally admissible if it is of a type relied upon by reasonable persons in the conduct of their serious affairs. See OAR 860-001-0450. Objections to the admissibility of evidence must be made at the time the evidence is offered. Objections are generally made on grounds that the evidence is unreliable, irrelevant, repetitious, or because its probative value is outweighed by the danger of unfair prejudice, confusion of the issues, or undue delay. The order of presenting evidence is determined by the ALJ. The burden of presenting evidence to support an allegation rests with the person raising the allegation. Generally, once a hearing is completed, the ALJ will not allow the introduction of additional evidence without good cause.

Record: The hearing will be recorded, either by a court reporter or by audio digital recording, to preserve the testimony and other evidence presented. Parties may contact the court reporter about ordering a transcript or request, if available, a copy of the audio recording from the Commission for a fee set forth in OAR 860-001-0060. The hearing record will be made part of the evidentiary record that serves as the basis for the Commission's decision and, if necessary, the record on any judicial appeal.

Final Order and Appeal: After the hearing, the ALJ will prepare a draft order resolving all issues and present it to the Commission. The draft order is not open to party comment. The Commission will make the final decision in the case and may adopt, modify, or reject the ALJ's recommendation. If you disagree with the Commission's decision, you may request reconsideration of the final order within 60 days from the date of service of the order. See ORS 756.561 and OAR 860-001-0720. You may also file a petition for review with the Court of Appeals within 60 days from the date of service of the order. See ORS 756.610.