

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 335

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,

Request for a General Rate Revision.

PREHEARING CONFERENCE
MEMORANDUM

On March 19, 2018, the Public Utility Commission of Oregon held a prehearing conference in this docket. Representatives appeared on behalf of Portland General Electric Company; PacifiCorp, dba Pacific Power; Oregon Citizens' Utility Board (CUB); Industrial Customers of Northwest Utilities (ICNU); Northwest & Intermountain Power Producers Coalition (NIPPC); Calpine Energy Solutions, LLC (Calpine Solutions); Wal-Mart Stores, Inc. and Sam's West Inc. (Walmart); Verizon; and Commission Staff.

Petitions to Intervene

Prior to the conference, ICNU, PacifiCorp, Calpine Solutions, Walmart, NIPPC, and Fred Meyer Stores, Inc. (Fred Meyer), filed petitions to intervene in this docket. No party attending the conference objected to any of the petitions. I find that ICNU, PacifiCorp, Calpine Solutions, Walmart, NIPPC, and Fred Meyer have sufficient interest in the proceedings to participate and that their participation will not unreasonably broaden the issues, burden the record, or delay the proceedings.¹ The petitions to intervene are therefore granted. In addition, CUB filed its notice of intervention as allowed under ORS 774.180.

Pro Hac Vice

Walmart filed a motion to allow Vicki M. Baldwin, and Fred Meyer filed a motion to allow Kurt Boehm and Jody Kyler Cohn to appear as counsel *pro hac vice* in this proceeding. Vicki Baldwin states that she will associate with Brandon Mark. Kurt Boehm and Jody Kyler Cohn will associate with Ian Ford. Mr. Mark and Mr. Ford are both active members in good standing with the Oregon State Bar.

I have reviewed the motions for admission *pro hac vice* and find that they comply with the requirements of UTCR 3.170 and OAR 860-001-0320. No objections have been received.

¹ See OAR 860-001-0300(6).

The motions to admit Vick M. Baldwin as counsel *pro hac vice* on behalf of Walmart and Kurt Boehm and Jody Kyler Cohn on behalf of Fred Meyer are granted for a one-year period. For cases continuing over one year, an attorney appearing *pro hac vice* must file a new application to continue to participate in the case.²

Procedural Schedule

The parties agreed to the following procedural schedule, which was adopted:

General Rate Case Schedule

EVENT	DATE
Requested Deadline for Petitions to Intervene ³	April 6, 2018
Staff Workshop ⁴	April 17, 2018
Intervenor Funding Deadline	April 27, 2018
Staff and Intervenors Opening Testimony	June 6, 2018
Settlement Conference	June 18-19, 2018
PGE Reply Testimony	July 13, 2018
Settlement Conference	July 23-24, 2018
Staff and Intervenors Rebuttal Testimony	August 15, 2018
PGE Surrebuttal Testimony	September 7, 2018
All Parties Prehearing Briefs	September 12, 2018
Hearing ⁵	September 20-21, 2018
PGE Opening Brief	October 5, 2018
Staff and Intervenors Reply Brief	October 19, 2018
PGE Final Brief	October 26, 2018
Oral Argument	November 2, 2018
Target Date for Commission Decision	December 14, 2018
Effective Date	January 1, 2019

Parties also agreed to amend data request response times: 1) The standard response to data requests will be 14 calendar days; and 2) after PGE files reply testimony on July 13 the response will be reduced to 7 calendar days.

² See UTCR 3.170(5); OAR 860-001-0320(3).

³ In accordance with ORS 756.525 a person may petition to intervene at any time before the close of the record. But because it is helpful if parties are identified early in the proceedings, the Commission requests that petitions to intervene be filed by the date identified above.

⁴ Workshop and Settlement conference dates are included in the schedule for the parties' convenience. The parties do not need Commission approval to reschedule workshops or settlement conferences.

⁵ First day of hearing will be set aside for Commission examination. The hearing will begin following Commission examination.

Net Variable Power Costs Schedule

EVENT	DATE
Company files April Update	March 30, 2018
Staff Workshop	April 17, 2018
Staff and Intervenors Opening Testimony	May 24, 2018
Settlement Conference/Workshop	June 12, 2018
PGE Reply Testimony	June 21, 2018
MONET Update	July 6, 2018
Staff and Intervenors Rebuttal Testimony	July 13, 2018
PGE Surrebuttal Testimony	July 20, 2018
Hearing	August 1, 2018
PGE Opening Brief	August 16, 2018
Staff and Intervenors Reply Briefs	August 31, 2018
PGE Rebuttal Brief	September 14, 2018
MONET Update	September 28, 2018
Target Date for Commission Decision	October 24, 2018
November MONET Update	November 6, 2018
Final Monet Update	November 15, 2018

Dated this 20th day of March, 2018, at Salem, Oregon.



Nolan Moser
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures

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.