

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1121

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|--|---|------------|
| In the Matter of                         | ) |            |
|  | ) |            |
| OREGON ELECTRIC UTILITY COMPANY,         | ) | PREHEARING |
| LLC, <i>et al.</i> ,                     | ) | CONFERENCE |
|  | ) | REPORT     |
| Application for Authorization to Acquire | ) |            |
| Portland General Electric Company.       | ) |            |

**DISPOSITION: PETITIONS TO INTERVENE GRANTED; SCHEDULE  
ADOPTED; MODIFIED PROTECTIVE ORDER  
WITHDRAWN**

On April 15, 2004, a prehearing conference was held in Salem, Oregon. Appearances were entered made by Oregon Electric Utility Company (Applicants); Portland General Electric; Enron; Bonneville Power Administration; Multnomah County; Renewable Northwest Project; NW Energy Coalition; Citizens' Utility Board; City of Portland; Northwest Independent Power Producers Coalition; Eugene Water and Electric Board; PacifiCorp; Strategic Energy, LLC; Industrial Customers of Northwest Utilities; Portland Metropolitan Association of Building and Managers (BOMA); West Valley; Leonard Girard; and Staff.

Petitions to Intervene

Petitions to intervene were filed by Multnomah County, Ken Lewis and NW Energy Coalition on April 13, 14 and 15, respectively. No one objected to the petitions. Petitioners have sufficient interest in the proceeding and their appearance and participation will not unreasonably broaden the issues, burden the record, or unreasonably delay the proceeding. The petitions are granted.

Schedule

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

| ACTION                                 | DUE DATE       |
|--|----------------|
| Intervention Petitions Due             | April 29, 2004 |
| Workshop                               | May 6-7, 2004  |
| Issues List Submitted                  | May 13, 2004   |
| Applicants File Supplemental Testimony | May 27, 2004   |
| Settlement Conference                  | June 8-9, 2004 |

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|--|--------------------------|
| Status Conference                              | June 15, 2004            |
| Staff & Intervenors File Testimony             | July 14, 2004            |
| Applicants File Rebuttal Testimony             | August 9, 2004 (by noon) |
| Settlement Conference                          | August 16-17, 2004       |
| Status Conference                              | August 19, 2004          |
| Staff & Intervenors File Surrebuttal Testimony | September 17, 2004       |
| Settlement Conference                          | September 23, 2004       |
| Applicants file Sursurrebuttal Testimony       | October 5, 2004          |
| Settlement Conference                          | October 12, 2004         |
| Status Conference                              | October 14, 2004         |
| Hearings                                       | October 19-21, 2004      |
| Briefs Due (opening and reply)                 | To be determined         |
| Oral Argument before Commission                | To be determined         |

The dates for filing are considered "in-hand" dates.

We have included the agreed-upon workshop and settlement conference dates in the schedule. We remind the parties, however, that the Administrative Hearings Division does not issue notices for these events. Therefore, the parties are free to reset these conferences, or add new ones, without submitting a motion to the Administrative Law Judges.

The parties further agreed to reduce the time allowed for data responses in two instances: 1) Staff and intervenors must respond within seven working days to Applicant data requests generated in response to Staff and intervenor testimony filed July 14, 2004, and 2) Applicants must respond within five working days to Staff and intervenor data requests generated in response to Applicants' testimony filed October 5, 2004.

Finally, a dial-in phone number will be provided for the status conferences. Parties should notify us at least one week prior to the status conference that they wish to participate by phone. We remind parties that the use of cell phones may make it difficult for them to hear and participate in the conference.

#### Modified Protective Order

On April 8, 2004, Applicants renewed their motion for a modified protective order. On April 15, 2004, Applicants filed a letter entitled *Proposal for Confidential Treatment of Extremely Confidential Documents*. Although the parties discussed the matter of a modified protective order during the prehearing conference, no agreement was reached. Applicants orally requested to withdraw the motion for a modified protective order. That request was granted.

#### Electronic filing

A protocol for electronic service has not been received. Parties are to work with each other to send information in a manner that is compatible with other parties' systems. Again, hard copies are to be filed with the Commission, along with an electronic copy in Word or Adobe.

## Town Halls

On April 27 and 28, 2004, town hall public comment meetings are scheduled in Salem and Portland, respectively. Those parties who have posterboards for the open houses are asked to display them at the town hall meetings by 6:30 pm, and to have an individual available for answering questions posed by the public.

The public meetings begin at 7:00 pm. A facilitator will be assisting with the meeting, and the three Commissioners will be present. A court recorder will make a record of the comments. As the purpose of the meeting is for the public to present their comments to the Commissioners, parties will not be asked to make a presentation. Further, as parties have an opportunity to make their positions known through the case proceedings, we ask parties to not comment at the town hall meetings. If this request is unacceptable, please let us know by April 23, 2004. Arrangements can be made for parties to provide comment after the general public has spoken.

Finally, the issues involving parking charges at the Portland facility have been resolved. Persons parking in the lot outside Ambridge Event Center will not be charged for parking.

Dated this 16th day of April, 2004, at Salem, Oregon.

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Kathryn A. Logan  
Administrative Law Judge

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Christina M. Smith  
Administrative Law Judge