

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1716

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON,

Investigation to Determine the Resource
Value of Solar.

PREHEARING CONFERENCE
MEMORANDUM

On February 18, 2015, the Public Utility Commission of Oregon held a prehearing conference in this docket. Representatives appeared on behalf of Commission Staff; Portland General Electric Company (PGE); Oregonians for Renewable Energy Progress (OREP); Environment Oregon; Renewable Northwest; Avista Corporation; the Alliance for Solar Choice (TASC); the Citizens' Utility Board of Oregon (CUB); Oregon Solar Energy Industries Association; Milo Solar; the Green Energy Institute at Lewis & Clark Law School (Lewis & Clark); the Oregon Department of Energy; Idaho Power Company (Idaho Power), and PacifiCorp; dba Pacific Power (PacifiCorp).

Petitions to Intervene

Petitions to intervene have been filed by PGE, PacifiCorp, Renewable Northwest, Environment Oregon, TASC, OREP, Lewis & Clark, and Idaho Power. Upon review of the petitions, I find that each of the entities has 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 a notice of intervention on February 3, 2015 in compliance with ORS 774.180.

Procedural Schedule

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

EVENT	DATE
Staff Circulates Scope Document/Workshop Agenda	April 9, 2015
Parties Submit Comments to Staff	April 30, 2015
Parties' Scoping Workshop #1	May 15, 2015
Staff Circulates Workshop Memo	May 29, 2015
Parties' Scoping Workshop #2	June 19, 2015 morning
Parties Submit Comments to Staff	July 2, 2015

¹ See OAR 860-001-0300.

Staff Circulates Workshop Memo	July 16, 2015
Commissioners Workshop	To Be Set
Prehearing Conference	To Be Set

The parties shall circulate their documents among themselves. None of their documents will be filed with the Filing Center.

At their first workshop the parties should work to schedule the Commissioners' workshop and second prehearing conference. The Commissioners are not all available on July 22, 2015 as proposed by the parties at the prehearing conference.

The parties may change the dates for their submissions or for the workshops without requesting permission from the Commission.

Parties are reminded that attorneys not licensed in Oregon wanting to appear before the Commission in this docket must file an application for admission to appear pro hac vice.²

Dated this 19th day of February, 2015, at Salem, Oregon.



Patrick Power
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures

² See UTCR 3.170, OAR 860-001-0320.

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.