



Oregon

Kate Brown, Governor

August 16, 2019

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Civil and Administrative Appeals
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IN THE COURT OF APPEALS OF THE STATE OF OREGON

ALLIANCE OF WESTERN ENERGY
CONSUMERS,

Petitioner,

v.

PUBLIC UTILITY COMMISSION OF
OREGON,

Respondent,

and

PORTLAND GENERAL ELECTRIC
COMPANY; PACIFICORP, d/b/a Pacific
Power; OREGON CITIZENS' UTILITY
BOARD; NORTHWEST AND
INTERMOUNTIAN POWER
PRODUCERS COALITION; CALPINE
ENERGY SOLUTIONS, LLC; WAL-
MART STORES, INC.; FRED MEYER
STORES, INC.; SMALL BUSINESS
UTILITY ADVOCATES; and
ALBERTSONS COMPANIES, INC.,

Intervenors-Respondents.

TRANSMITTAL OF SHORTENED
RECORD AND CERTIFICATE

Appellate Court No. A171242

Agency Case No. UE 335

I am enclosing an original and fourteen copies of the record for Appellate Court No. A171242, including confidential envelopes, in seven boxes (Box 7 does not contain any confidential envelopes).

Please note that there are no confidential envelopes for the following two parties because their

Becky Rife
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attorneys did not sign General Protective Order No. 18-047 (both copies are clearly marked and are in Box 7):

Parties Not Receiving Confidential Envelopes:

ALBERTSONS COMPANIES, INC.,
Represented by Brian Bethke and Chris Ishizu

and

PACIFICORP, dba PACIFIC POWER,
Represented by Matthew D. McVee

Please call me if you need further assistance.

PUBLIC UTILITY COMMISSION OF OREGON

A handwritten signature in cursive script that reads "Cheryl Walker".

Cheryl Walker, Administrative Specialist 2
Administrative Hearings Division
(503) 378-2849

IN THE COURT OF APPEALS OF THE STATE OF OREGON

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ALBERTSONS COMPANIES, INC.,

Intervenors-Respondents.

TRANSMITTAL OF SHORTENED
RECORD AND CERTIFICATE

Appellate Court No. A171242

Agency Case No. UE 335

I, Cheryl Walker, Administrative Specialist 2, Public Utility Commission of Oregon, pursuant to ORS 183.482(4), list below and transmit herewith the original of the shortened record (UE 335) under review in the above proceedings, except that wherein a copy of any document or paper is filed herein, I hereby certify that I have compared the copy with the original and that it is a true and correct copy of the original and the whole thereof.

<u>VOLUME I</u>		
<u>Item</u>	<u>Description</u>	<u>Page</u>
1	AWEC Petition for Judicial Review of Order of the Public Utility Commission of Order No. 19-128, Order No. 19-129. Dated 6/20/19.	1070-1153

2	MODIFIED Order No. 19-129, signed by Megan W. Decker and Letha Tawney; DISPOSITION: STIPULATIONS ADOPTED, CONTESTED ISSUES RESOLVED. Entered 4/12/19.	1003-1069
3	Order No. 19-128, signed by Commissioners Megan W. Decker and Letha Tawney; DISPOSITION: RECONSIDERATION GRANTED IN PART AND DENIED IN PART. Entered 4/11/19.	998-1002
4	PGE Response to AWEC's Application for Reconsideration. Dated 2/27/19.	988-997
5	STAFF Response to AWEC's Application for Reconsideration and Rehearing. Dated 2/27/19.	985-987
6	CALPINE SOLUTIONS Response to AWEC's Application for Reconsideration. Dated 2/27/19.	979-984
7	AWEC Application for Reconsideration and Rehearing. Dated 2/12/19.	959-978
8	PGE Advice No. 18-26, UE 335 General Rate Case Compliance Filing (Cover Letter, pages 1-3, Revised Schedules 485 and 489). Dated 12/18/18.	954-958
9	Order No. 18-467, signed by Commissioners Megan W. Decker, Stephen M. Bloom, and Letha Tawney; DISPOSITION: ORDER NO. 18-464 CORRECTED AND SUPPLEMENTED. Entered 12/18/18.	951-953
10	Order No. 18-464, signed by Commissioners Megan W. Decker, Stephen M. Bloom, and Letha Tawney; DISPOSITION: STIPULATIONS ADOPTED, CONTESTED ISSUES RESOLVED. Entered 12/14/18.	885-950
11	AWEC Reply Brief on Direct Access Issues. Dated 10/26/18.	874-884

12	PGE Reply Brief Regarding Direct Access Issues. Dated 10/26/18.	864-873
13	CUB Reply Brief – Direct Access Issues. Dated 10/26/18.	856-863
14	STAFF Reply Brief – Direct Access. Dated 10/26/18.	851-855
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15	CALPINE SOLUTIONS Reply Brief on Direct Access Issues. Dated 10/26/18.	845-850
16	NIPPC Reply Brief – Direct Access. Dated 10/26/18.	839-844
17	AWEC Opening Brief on Direct Access Issues. Dated 10/19/18.	819-838
18	FRED MEYER STORES, INC., A SUBSIDIARY OF THE KROGER CO. AND QUALITY FOOD CENTERS, A DIVISION OF THE FRED MEYER STORES, INC. (FRED MEYER) Opening Brief on Direct Access Issues. Dated 10/19/18.	818
19	PGE Opening Brief Regarding Direct Access Issues. Dated 10/19/18.	804-817
20	CUB Opening Brief – Direct Access Issues. Dated 10/19/18.	795-803
21	STAFF Opening Brief – Direct Access. Dated 10/19/18.	787-794
22	CALPINE SOLUTIONS Opening Brief on Direct Access Issues. Dated 10/19/18.	770-786
23	NIPPC Opening Brief – Direct Access. Dated 10/19/18.	753-769
24	Notice of Oral Argument. Dated 10/18/18.	752

25	AWEC Cross-Exam Exhibits Regarding Direct Access Issues: AWEC/600-607. Dated 9/28/19. CONFIDENTIAL materials in Envelope No. 899(17).	655-751
26	AWEC Cross-Examination Statement – Direct Access Issues. Dated 9/28/18.	652-654
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28	CALPINE SOLUTIONS Cross-Examination Statement – Direct Access Issues. Dated 9/28/18.	650
29	PGE Cross-Examination Statement – Direct Access Issues. Dated 9/28/18.	648-649
30	STIPULATING PARTIES - STAFF, ALBERTSONS, FRED MEYER, and PGE - Errata for Page 7 of Direct Access Response Testimony: Stipulating Parties/600, Gibbens-Waidelich-Bieber-Macfarlane/7. Dated 9/28/18.	643-647
31	Notice of Cancellation of Hearing Regarding Direct Access Issues. Dated 9/28/18.	642
32	AWEC CORRECTED Objections to the Partial Stipulation Regarding Direct Access Issues. Dated 9/27/18.	625-641
33	AWEC Revised Direct Access Testimony of Bradley G. Mullins: AWEC/500-507 (corrects header in testimony from AWEC/400-407 to AWEC /500-507). Dated 9/27/18. CONFIDENTIAL materials in Envelope No. 899(18).	583-624
34	NIPPC Cross-Examination Statement – Direct Access Issues. Dated 9/27/18.	582
35	CUB Cross-Examination Statement – Direct Access Issues. Dated 9/27/18.	581

36	STIPULATING PARTIES - STAFF, ALBERTSONS, FRED MEYER, and PGE - Direct Access Response Testimony in Support of Stipulation of Scott Gibbens, George Waidelich, Justin Bieber, Robert Macfarlane: Stipulating Parties/600. Dated 9/17/2018. (ALSO SEE Errata dated 9/28/18, Item No. 30).	568-580
37	NIPPC Direct Access Response Testimony of Dr. Ben Fitch-Fleischmann: NIPPC/200. Dated 9/17/18.	562-567
38	CALPINE SOLUTIONS Direct Access Response Testimony of Kevin Higgins: Calpine Solutions/200. Dated 9/17/18.	554-561
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39	CUB's ERRATA to Objections to the Partial Stipulation Regarding Direct Access Issues. Dated 9/5/18.	549-553
40	AWEC's Direct Access Testimony of Bradley G. Mullins: AWEC/400-407. Dated 9/4/18. Confidential materials in Envelope No. 899(16). (ALSO SEE 9/27/18 Revised Testimony dated 9/27/18, Item No. 33.)	510-548
41	AWEC Objections to the Partial Stipulation Regarding Direct Access Issues. Dated 9/4/18.	491-509
42	CUB Objections to the Partial Stipulation Regarding Direct Access Issues. Dated 9/4/18. (ALSO SEE Errata dated 9/5/18, Item No. 39.)	486-490
43	CUB Direct Access Testimony of Bob Jenks: CUB/400. Dated 9/4/18.	479-485

44	STIPULATING PARTIES - PGE, STAFF, FRED MEYER, ALBERTSONS, and CALPINE SOLUTIONS - Partial Stipulation Regarding Direct Access Issues. Dated 8/20/18.	468-478
45	STIPULATING PARTIES - PGE, STAFF, FRED MEYER, ALBERTSONS, and CALPINE SOLUTIONS - Joint Testimony in Support of Direct Access Partial Stipulation: Stipulating Parties/500-501. Dated 8/20/18.	445-467
46	Ruling Granting Motion to Amend Schedule for Direct Access Issues. Dated 8/14/18.	444
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48	PGE Reply Testimony and Exhibits of Amber Riter and Alison Lucas: PGE/2310. (Cover letter dated 7/13/19). Hard copy received and Dated 7/16/18.	342-343
49	PGE Reply Testimony of Maria Pope and Jim Lobdell: PGE/1500. (Cover letter dated 7/13/19). Hard copy received and Dated 7/16/18.	326-341
50	ALLIANCE OF WESTERN ENERGY CONSUMERS (AWEC) Opening Testimony of Bradley G. Mullins: AWEC/200. Dated 6/6/18. CONFIDENTIAL materials in Envelope No. 899(8).	270-325
<u>VOLUME IV</u>		
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52	CALPINE ENERGY SOLUTIONS, LLC (CALPINE SOLUTIONS) Opening Testimony and Exhibits of Kevin C. Higgins: Calpine Solutions/100-103. Dated 6/6/18.	157-214
53	NORTHWEST AND INTERMOUNTAIN POWER PRODUCERS COALITION (NIPPC) Opening Testimony and Exhibits of Dr. Benjamin Fitch-Fleischmann: NIPPC/100-104. Dated 6/6/18.	121-156
54	ALBERTSONS COMPANIES, INC. (ALBERTSONS) Opening Testimony of George M. Waidelech: Albertsons-Safeway/100. Dated 6/5/18.	111-120
55	PGE Direct Testimony and Exhibits of Robert Macfarlane and Jacob Goodspeed: PGE/1300, PGE/1307, PGE/1308. Dated 2/15/18.	63-110
56	PGE's Direct Testimony and Exhibits of Amber Riter and Alison Lucas: PGE/1100. Dated 2/15/18.	46-62
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58	PORTLAND GENERAL ELECTRIC COMPANY (PGE) Executive Summary. Dated 2/15/18.	5-17
59	PGE Advice No. 18-02, PGE Rate Revision UE 335: Cover Letter, pages 1-2; Proposed Revised Schedules 485 and 489. Dated 2/15/18.	1-4
	TRANSCRIPTS	
60	Transcript of November 6, 2018 Special Public Meeting (Oral Argument)	Separate cover

Dated at Salem, Oregon, this 16th day of August, 2019.



Name: Cheryl Walker
Title: Administrative Specialist 2
Agency: Public Utility Commission of Oregon

CERTIFICATE

STATE OF OREGON)
)
County of MARION)

I hereby certify that the foregoing Transmittal of Shortened Record Under Review and Certificate for UE 335 is a true and correct copy of the original and of the whole thereof.

Dated at Salem, Oregon, this 16th day of August, 2019.



Name: Cheryl Walker
Title: Administrative Specialist 2
Agency: Public Utility Commission of Oregon
