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**From:** Mike Goetz <mike@oregoncub.org>  
**Sent:** Tuesday, September 15, 2020 5:18 PM  
**To:** LACKEY Alison <Alison.lackey@puc.state.or.us>  
**Cc:** Bob Jenks <bob@oregoncub.org>; MOSER Nolan <nolan.moser@puc.state.or.us>  
**Subject:** Re: Docket Number UE 374--Notice of Filing--Oregon PUC

Dear Judge Lackey -

I hope you are doing well. I appreciate the guidance on filing and responding to motions to admit, but I do have a clarifying question in regards to process. In your memo, you indicate "responses to a motion to admit are due September 24, 2020." However, the memo is silent on any potential replies to that response by the moving parties.

Under OAR 860-001-0420(5), the moving party has seven days to file a reply to a response to a substantive motion. The moving party must be granted permission by the ALJ to file a reply to a procedural motion.

Although motions to admit are typically procedural, I anticipate that substantive arguments will be made in response to CUB's motion to admit since PacifiCorp has indicated it objects to the inclusion of CUB/500.

I am requesting guidance regarding whether CUB will have the opportunity to reply to PacifiCorp's anticipated response to CUB's motion to admit. Since substantive arguments around the probative value of CUB/500 will be made, I would argue that CUB's motion to admit is substantive in nature. If you rule that the motion is procedural, I would like to formally request leave to file a reply to PacifiCorp's anticipated response.

Thank you very much for your consideration.

Sincerely,

Mike Goetz

**Michael P. Goetz**  
General Counsel



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On Mon, Sep 14, 2020 at 5:22 PM TOEWS Kimberly <[kimberly.toews@state.or.us](mailto:kimberly.toews@state.or.us)> wrote:

Description: ALJ Alison Lackey issues MEMORANDUM REGARDING MOTIONS TO ADMIT.

Copies served on 9-14-20, after 5 pm.

Docket Name: PACIFICORP REQUEST FOR A GENERAL RATE REVISION

Utility Company: PACIFIC POWER -- ELEC, IV\_E

Type of Activity: LAW JUDGE RULING/MEMORANDA, filed on 9/14/2020.

To view this document, please click on the below link:

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