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August 11, 2025

Via Electronic Filing

Public Utility Commission of Oregon
Attn: Filing Center
201 High St. SE, Suite 100
Salem OR 97301

Re: In the Matter of Portland General Electric,
Investigation into Marginal Cost Study Treatment of Costs for Large Customers and Further Modifications to Portland General Electric Company's Rule C and Rule I.
Docket No. UM 2377

Dear Filing Center:

Please find enclosed the redacted version of the Confidential Opening Testimony and Exhibits of Lance Kaufman (AWEC/100-102) on behalf of the Alliance of Western Energy Consumers ("AWEC") in the above-referenced docket.

Please note that AWEC's Opening Testimony and Exhibit 102 contain Protected Information Subject to Modified General Protective Order No. 25-179. The confidential portions of AWEC's filing have been encrypted with 7-zip software and are being transmitted electronically to the Commission and qualified persons.

Thank you for your assistance. If you have any questions, please do not hesitate to call.

Sincerely,

/s/ Julitta Brannon
Julitta Brannon
Paralegal

Enclosure

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the **Confidential Opening Testimony and Exhibits of the Alliance of Western Energy Consumers** upon the parties shown below via electronic mail.

Dated at Portland, Oregon, this 11th day of August, 2025.

/s/ Julitta Brannon
Julitta Brannon
Paralegal

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BEFORE THE

PUBLIC UTILITY COMMISSION OF OREGON

UM 2377

In the Matter of	)
	)
PORTLAND GENERAL ELECTRIC COMPANY,	)
	)
Investigation into Marginal Cost Study Treatment of Costs for Large Customers and Further Modifications to Portland General Electric Company's Rule C and Rule I.	)

CONFIDENTIAL OPENING TESTIMONY OF LANCE KAUFMAN

ON BEHALF OF THE

ALLIANCE OF WESTERN ENERGY CONSUMERS

(REDACTED)

August 11, 2025

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I. INTRODUCTION AND SUMMARY

Q. PLEASE STATE YOUR NAME AND OCCUPATION.

A. My name is Lance D. Kaufman. I am a consultant representing utility customers before state public utility commissions in the Northwest and Intermountain West.

Q. PLEASE IDENTIFY THE PARTY ON WHOSE BEHALF YOU ARE TESTIFYING.

A. I am testifying on behalf of the Alliance of Western Energy Consumers ("AWEC"). AWEC is a non-profit trade association whose members are large energy users in the Western United States, including customers receiving electric services from Portland General Electric Company ("PGE" or "Company").

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. My testimony recommends modifying the scope of this docket to implement House Bill ("HB") 3546, by applying the issues list the Administrative Law Judge ("ALJ") adopted exclusively to data centers. At this time, I do not take a position on how these issues should apply to data centers but will respond to proposals from other parties. I also respond to certain issues raised by parties in Docket No. UE 430.

Q. WHAT TOPICS DO YOU ADDRESS?

A. My testimony addresses the following topics: (1) Data Center Rate Class, (2) Load Following Credit, and (3) Substation and Transmission Cost Studies.

II. DATA CENTER RATE CLASS

Q. WHAT IS YOUR PRIMARY RECOMMENDATION IN THIS DOCKET?

A. I recommend that the Oregon Public Utility Commission ("Commission") approve a new data center rate class for PGE and that the issues in this docket be limited in their application to that data center rate class.

Q. WHY SHOULD THE SCOPE OF THIS PROCEEDING BE LIMITED TO A NEW DATA CENTER RATE CLASS?

A. Under HB 3546, passed in the most recent Legislative session, the Commission is required to provide for a new rate class exclusively for data centers.[1] This docket has its origins in a stipulation the Commission approved in Docket No. UE 416, PGE's 2023 general rate case. In that case, Commission Staff identified significant load growth in PGE's industrial rate schedules and raised the possibility of allocating certain transmission costs directly to these rate schedules.[2] The stipulation resolved this issue by agreeing to open an investigation into new load connection costs.[3] In approving the stipulation, the Commission stated that "[w]ith the fast pace and large scale of new large load connections potentially emerging in our state, we need to promptly consider both the needs of those new large customers and the potential costs and risks to other customers."[4] That investigation was opened as Docket No. UE 430, which eventually morphed into the investigation in the current docket.

Therefore, the underlying basis of this investigation relates to the amount of load growth in PGE's industrial rate schedules in recent years. PGE's data shows that data centers are responsible for the vast majority of the growth in these schedules.[5] Consequently, it is

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1 HB 3546 § 2(2).
2 Docket No. UE 416, Staff/2000, Stevens/38:13-39:11.
3 Docket No. UE 416, Fourth Partial Stipulation at ¶ 17(b) (Oct. 6, 2023).
4 Docket No. UE 416, Order No. 23-386 at 14 (Oct. 30, 2023).
5 Confidential Exhibit AWEC/102 (PGE Resp. to AWEC DR 1, Confidential Attachment A).

apparent that industrial customers that are not data centers are not creating the issues this investigation was intended to address. By isolating data centers into their own rate schedule, which the Commission must do anyway under HB 3546, and applying the scope of this investigation to that new rate class, the Commission can target this investigation to the customers it was intended to address in the first place.

Q. HOW MANY NEW LARGE LOADS HAVE REQUESTED SERVICE FROM PGE SINCE 2021?

A. PGE has received [redacted] new large load requests exceeding 20 MW from 2021 to present.[6] [redacted] request was made by a data center.[7] The total requested capacity was [redacted][8]

Q. WOULD LIMITING THE SCOPE OF THIS DOCKET TO A DATA CENTER RATE CLASS SIMPLIFY THE ISSUES IN THIS CASE?

A. Yes. The scope of this docket is daunting. It includes potentially major revisions to PGE's cost of service studies and allocation of costs in a manner that has not yet been tried. It also involves addressing impacts to HB 2021, PGE's carbon reduction mandate, as well as review and potential modification of PGE's green tariff offerings and direct access programs. This would be difficult enough under the best of circumstances, but it is complicated by the fact that industrial customers are diverse both in terms of load profile and business operations. Major modifications to the way PGE designs its rates for these customers, and the program offerings available to them, could have unintended consequences. Limiting the scope of this docket to data centers helps mitigate this concern and will allow parties to focus on customers that are all relatively similarly situated, thus preventing disputes about the wisdom of applying proposed changes to all industrial customers.

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6 *Id.*
7 *Id.*
8 *Id.*

Q. PLEASE PROVIDE ADDITIONAL DETAIL REGARDING HB 3546.

A. Passed in June of 2025, HB 3546 requires that costs be allocated to data centers "in a manner that is equal or proportional to the costs of serving the class" and requires that the Commission "mitigate the risk of…shifting the costs, in an unwarranted manner of serving a [data center] to other classes of retail electricity customers."[9] In addition to mitigating the cost and risk impacts for all other retail customer classes, data center rates are to be set with consideration of contribution to energy systems, impacts on clean energy goals, cost causation, and the general public interest.[10]

Q. HOW DOES HB 3546 AFFECT THIS DOCKET?

A. HB 3546 makes clear that the costs borne by data centers should be "proportional to the costs of serving the class," and it establishes additional cost allocation conditions for data centers that arguably differ from other types of industrial loads. This means that separate data center rates or rate classes are necessary. HB 3546 provides guidance to the Commission that the Oregon Legislature has specific concern with new data center load, and not new large load in general. Thus, it is appropriate to focus this docket's changes to PGE's rules, tariffs, and cost models on those relevant to data centers. To be clear, however, AWEC does not at this time advocate that a data center rate class should bear costs differently from any other rate class; HB 3546 does not mandate this result, and any such decision should be well supported by an evidentiary record.

[9] HB 3546 § 2(2)(a)(A), (c)(B).
[10] *Id.* at § 2(3).

Q. PLEASE SUMMARIZE YOUR PRIMARY RECOMMENDATION.

A. The issues list the ALJ adopted in this proceeding includes a broad scope of topics intended to investigate the impacts of significant new large load interconnecting to PGE's system. These issues include changes to PGE's line extension rules, PGE's marginal cost studies, and impacts to HB 2021 compliance. The issues list also expressly recognizes the need for alignment with HB 3546. Given that PGE's industrial load growth has been dominated by data centers in recent years, it is logical to apply the issues list to the new data center rate class HB 3546 requires. Doing so will also help narrow the scope of this case by applying the issues list to a class of customers that have similar load and business profiles.

III. LOAD FOLLOWING CREDIT

Q. IS PGE'S LOAD FOLLOWING CREDIT WITHIN THE SCOPE OF THIS PROCEEDING?

A. Yes. AWEC opposed inclusion of the Load Following Credit in this docket for three reasons: 1) the Load Following Credit is an existing credit, the size and existence of which is directly related to and dependent on PGE's marginal cost study; 2) the Load Following Credit is tangential to the primary issue in this docket, which is to address the amount of load growth in PGE's industrial rate schedules in recent years; and 3) any changes to the Load Following Credit would not have a rate impact on any customer class until the rate effective date of PGE's next rate case but could send improper price signals to customers if modified in this proceeding. Notwithstanding, the ALJ included this issue on the issues list for this docket. Consistent with my primary recommendation above, I recommend that the Load Following Credit be analyzed in this docket exclusively within the context of a data center rate class. If

parties have concerns about the Load Following Credit more broadly, those concerns can always be raised in a rate case.

If, however, the Commission declines my primary recommendation to limit the issues in this docket to a new data center rate class, I respond below to previous comments from parties on the Load Following Credit.

Q. WHAT RELEVANT COMMENTS HAVE PARTIES FILED ON THIS ISSUE?

A. In comments filed on February 19, 2025 for Docket No. UE 430, Oregon Citizens' Utility Board ("CUB") raised concerns with the load following credit being applied to new large load, specifically data centers.[11] CUB argued that PGE will overbuild its system with solar and battery resources as a solution to meet HB 2021 and suggests that this over-building may alleviate the need for PGE to provide load following services.[12] CUB recommended that no new large loads be given the Load Following Credit.[13]

Q. DOES IT APPEAR THAT ANY NEW LARGE LOAD CUSTOMERS WILL BE ELIGIBLE FOR THE LOAD FOLLOWING CREDIT?

A. No. [redacted] appears to meet the threshold for the Load Following Credit.[14] [redacted].[15]

[11] Docket No. UE 430, CUB Comments on PGE Investigation into New Load Connection Costs, at 5-7 (Feb. 19, 2025.
[12] *Id.* at 5.
[13] *Id.* at 6-7.
[14] Exhibit AWEC/102 (PGE Resp. to AWEC DR 1).
[15] *Id*.

Q. SUPPOSE CUB IS CORRECT THAT THE LOAD FOLLOWING CREDIT IS NOT COST JUSTIFIED FOR DATA CENTERS. IS THERE A RISK THAT OTHER CUSTOMERS WOULD BE NEGATIVELY IMPACTED BY A DATA CENTER RECEIVING THIS CREDIT PRIOR TO A GENERAL RATE CASE?

A. No. The credit is applied in the rate spread and rate design steps of PGE's rate cases and is embedded in the Schedule 90 base demand and energy charges. Because of this, outside of a new general rate case, other customers experience no rate impact from the Load Following Credit. To the extent that a new large customer is served under a rate that has the Load Following Credit embedded in it, other customers' rates would not be affected until a subsequent general rate case.

Q. COULD PGE'S DATA CENTER RATE CLASS REQUIRED BY HB 3546 BE EXCLUDED FROM THE LOAD FOLLOWING CREDIT?

A. Yes, the new data center rate class would allow PGE to target the Load Following Credit on large industrial loads, which may follow different generation profiles from data center loads.[16]

Q. IS CUB'S ANALYSIS OF SOLAR AND BATTERY RESOURCE AQUISITION CORRECT?

A. No. PGE's 2023 Integrated Resource Plan ("IRP") contains a broad mix of resources, including market access, and a generic generation resource.[17] There is no evidence that PGE intends to meet HB 2021 mandates by overbuilding its system with solar and battery storage.

Q. DOES THE USE OF VARIABLE ENERGY RESOURCES ALEVIATE THE NEED FOR PGE TO INCUR COSTS TO FOLLOW LOAD?

A. No. Even if PGE's portfolio were built in the manner implied by CUB, PGE would still be required to match generation with load.

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[16] AWEC requested PGE provide hourly load for individual customers, in part to assess the load following credit. PGE declined to provide such data. AWEC intends to continue to explore data regarding the load profiles of different customer classes.

[17] PGE's 2023 Clean Energy Plan and Integrated Resource Plan Page 288 Table 64. Cumulative resource buildout in Preferred Portfolio (MW).

Q. ARE THERE OTHER COST ALLOCATION ISSUES ENTANGLED WITH THE ISSUE OF LOAD FOLLOWING?

A. Yes. It is important to consider the Load Following Credit within the greater context of generation cost allocations. More specifically, the model used to estimate marginal demand and energy costs and allocate these costs should be consistent with treatment of the Load Following Credit. Load following costs are embedded within the generation revenue requirement. These costs are allocated to customers using the demand and energy allocator. However, the demand and energy allocators are not precise measures of the need for load following services. The Load Following Credit remedies shortfalls with the generation marginal cost model by backing out costs that should not have been allocated to flat loads in the generation marginal cost model. Thus, any changes to the Load Following Credit should be paired with changes to the generation marginal cost model to ensure that load following costs are not allocated to Schedule 90.

IV. SUBSTATION AND TRANSMISSION COST STUDIES

Q. WHAT ISSUES SHOULD BE CONSIDERED WHEN REVIEWING SUBSTATION AND TRANSMISSION COST STUDIES?

A. There appears to be asymmetric treatment of customer contributions in aid of construction to substation and sub-transmission costs. PGE's line extension rule states that "[m]odifications to transmission or sub transmission voltage facilities or substations are not considered Line Extensions for purposes of this rule and require special contract arrangements."[18] However, small customers do not typically engage in special contracts with the Company. This results in an asymmetrical treatment in which large customers are bound by special arrangements

[18] PGE Tarif P.U.C. Oregon No. E-19 Sheet No. I-1.

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EXHIBIT AWEC/101

QUALIFICATIONS OF LANCE D. KAUFMAN

CURRICULUM VITAE

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EDUCATION:

University of Oregon	Ph.D.	Economics	2008 – 2013
University of Oregon	M.S.	Economics	2006 – 2008
University of Anchorage Alaska	B.B.A.	Economics	2001 – 2004

CERTIFICATIONS:

Certified Depreciation Professional	Society of Depreciation Professionals	2018

PROFESSIONAL EXPERIENCE:

Consultant	Western Economics, LLC	2014 – Present
Senior Economist	Oregon Public Utility Commission	2015 – 2018
Public Utility Advocate	Alaska Department of Law	2014 – 2015
Senior Economist	Oregon Public Utility Commission	2013 – 2014
Instructor	University of Oregon	2008 – 2012
Research Assistant	University of Alaska Anchorage	2003 – 2008

PROFESSIONAL MEMBERSHIPS:

Society of Depreciation Professionals	2015 – Present
American Economics Association	2017 – Present

PUBLICATIONS:

Kaufman, Lance (2013) Three Essays on Governance Structure in the Hospital Industry. University of Oregon

Laura R. Sangaré, Lance Kaufman, Robert A. Bardwell, Deborah Nichols, and Mersine Bryan (2024) The risk of sleep-related death in an inclined sleep environment. *BMC Public Health.*

RESEARCH, CONSULTING, AND ECONOMETRIC ANALYSIS:

- Hagens Berman Sobol Shapiro LLP, Phoenix, Arizona, 2025
  Deposed as an expert witness for plaintiffs re calculation of economic harm due to breach of contract in Seiving, et al. vs. Continental Casualty Company, et al. United States District Court for the Northern District of Illinois Eastern Division No.: 1:20-cv-05127.

- Hagens Berman Sobol Shapiro LLP, Phoenix, Arizona, 2025
  Deposed as an expert witness for plaintiffs re calculation of economic harm due to breach of contract in Dorazio, et al. vs. Allstate. United States District Court for the District of Arizona Case No. 23-cv-00017-PHX-KML.
- King Employment Law, CO 2025
  Deposed as an expert witness for Plaintiff regarding economic loss in Schroeder v. HCA-HealthONE, LLC, United States District Court for the District of Colorado, Civil Action No. 1:23-cv-03106-GPG-KAS.
- Davison Van Cleve, PC, Portland, OR 2024
  Retained as an expert witness for Alliance of Western Energy Consumers regarding revenue requirement, rate spread, and rate design in Portland General Electric Company, Request for a General Rate Revision, Public Utility Commission of Oregon, Docket No. UE 435.
- Echo, Hawk, and Olson, PC, Pocatello, ID 2024
  Testified as an expert witness for Idaho Irrigation Pumpers Association regarding revenue requirement, rate spread, and rate design in Idaho Power Company, Request for a General Rate Revision, Idaho Public Utility Co., Docket No. IPC-E-24-07.
- Echo, Hawk, and Olson, PC, Pocatello, ID 2024
  Retained as an expert witness for Idaho Irrigation Pumpers Association regarding revenue requirement, rate spread, and rate design in PacifiCorp, Request for a General Rate Revision, Idaho Public Utility Co., Docket No. PAC-E-24-04.
- Davison Van Cleve, PC, Portland, OR 2024
  Retained as an expert witness for Alliance of Western Energy Consumers regarding revenue requirement, rate spread, and rate design in PacifiCorp, Request for a General Rate Revision, Public Utility Commission of Oregon, Docket No. UE 433.
- Davison Van Cleve, PC, Portland, OR 2024
  Testified as an expert witness for Alliance of Western Energy Consumers regarding revenue requirement, rate spread, and rate design in Puget Sound Energy, Request for a General Rate Revision, Washington Public Utility Commission, Docket No. UE-240004.
- Davison Van Cleve, PC, Portland, OR 2024
  Testified as an expert witness for Alliance of Western Energy Consumers regarding revenue requirement, rate spread, and rate design in Avista Utilities, Request for a General Rate Revision, Washington Public Utility Commission, Docket No. UE-240006.
- Hughes Socol Piers Resnick & Dym, Ltd.Martinez v TCC Wireless 2024
  Deposed as an expert witness for plaintiffs re calculation of economic harm due to breach of contract in Martinez et al. v. TCC Wireless Circuit Court of Cook County, Illinois, County Department, Chancery Division.
- The Municipality of Cedar Falls, Iowa, Cedar Falls, IA 2023
  Retained as a consultant for Cedar Falls Utilities to conduct a depreciation study of their electric, gas, water, and telecommunications utilities.
- Davison Van Cleve, PC, Portland, OR 2023
  Retained as an expert witness for Alliance of Western Energy Consumers regarding revenue requirement, rate spread, and rate design in Portland General Electric Company, Request for a General Rate Revision, Public Utility Commission of Oregon, Docket No. UE 416.

- Davison Van Cleve, PC, Portland, OR 2023
  Retained as an expert witness for Alliance of Western Energy Consumers regarding cost of capital, rate spread, and rate design in PacifiCorp Request for a General Rate Revision, Washington Utilities and Transportation Commission, Docket No. UE-230172.
- Alliance for Retail Energy Markets, La Jolla, CA 2023
  Retained as an expert witness for Alliance for Retail Energy Markets regarding resource adequacy of generation service providers in Arizona Public Service Company, Request for a General Rate Revision, Arizona Public Utilities Commission, Docket No. E-01345A-22-0144.
- North Carolina Sustainable Energy Association, Raleigh, NC 2023
  Retained as an expert witness forNorth Carolina Sustainable Energy Association regarding depreciation rates and coal plant securitization in Duke Energy Carolinas, Request for a General Rate Revision, North Carolina Utility Commission Docket No. E-7 Sub 1276.
- Deep Blue Pacific Wind, Portland, OR 2023
  Retained as an expert witness for Deep Blue Pacific Wind regarding least cost planning in Portland General Electric Company, 2023 Integrated Resource Plan, Public Utility Commission of Oregon, Docket No. LC 80.
- Duane Morris LLP Boston, MA 2022
  Deposed as an expert witness for plaintiffs re calculation of economic harm due to breach of contract in Harold Parsons v. The Commerce Insurance Company Suffolk Superior Court Commonwealth of Massachusetts.
- Davison Van Cleve, PC, Portland, OR 2022
  Retained as an expert witness for Alliance of Western Energy Consumers regarding revenue requirement, rate spread, and rate design in Portland General Electric Company, Request for a General Rate Revision, Public Utility Commission of Oregon, Docket No. UE 394.
- Davison Van Cleve, PC, Portland, OR 2022
  Retained as an expert witness for Alliance of Western Energy Consumers regarding depreciation rates in Portland General Electric Company Detailed Depreciation Study of Electric Utility Properties, Public Utility Commission of Oregon, Docket No. UM 2152.
- Davison Van Cleve, PC, Portland, OR 2022
  Retained as an expert witness for Alliance of Western Energy Consumers regarding revenue requirement, rate spread, and rate design in Pacific Power Request for a General Rate Revision, Public Utility Commission of Oregon, Docket No. UE 399.
- Davison Van Cleve, PC, Portland, OR 2022
  Retained as an expert witness for Alliance of Western Energy Consumers regarding revenue requirement, rate spread, and rate design in Puget Sound Energy General Rate Case to Update Base Rates, Washington Utility and Transportation Commission, Docket No. UE-220066, UG-220067, UE-210918.
- Davison Van Cleve, PC, Portland, OR 2022
  Retained as an expert witness for Alliance of Western Energy Consumers competitive energy service in AWEC's Investigation into Long-Term Direct Access Programs, Public Utility Commission of Oregon, Docket No. UM 2024.
- Davison Van Cleve, PC, Portland, OR 2021

Retained as an expert witness for Alliance of Western Energy Consumers competitive energy service in Direct Access Rulemaking, Public Utility Commission of Oregon, Docket No. AR 651.

- Davison Van Cleve, PC, Portland, OR 2022
  Retained as an expert witness for Smart Energy Alliance regarding revenue requirement, rate spread, and rate design in Sierra Pacific General Rate Case to Update Base Rates, Public Utility Commission of Nevada, Docket No. 22-06014.
- Davison Van Cleve, PC, Portland, OR 2022
  Retained as an expert witness for Alliance of Western Energy Consumers regarding revenue requirement, rate spread, and rate design in Avista Corp General Rate Case to Update Base Rates, Washington Utility and Transportation Commission, Docket No. UE-220053 & UG-220054.
- Georgia Public Service Commission, OR 2022
  Retained as an expert witness for Georgia Public Service Commission depreciation rates and decommissioning costs in Georgia Power Company's 2022 General Rate Case, Georgia Public Service Commission, Docket No. 44280.
- Nichols Kaster, PLLP, Minneapolis, Minnesota, 2013 –
  Deposed as expert witness for the plaintiffs re analysis of termination of older employees in re Raymond, et al. v. Spirit Aerosystems, Inc., Case No. 16-1282-JTM-GEB, United States District Court, District of Kansas.
- Jester, Gibson & Moore, Denver, CO 2022
  Deposed as an expert witness for defendants and countersuit plaintiffs regarding lost earnings in Franklin D. Azar & Associates, P.C., v. Ivy Ngo v. Franklin D. Azar.
- Georgia Public Service Commission Public Interest Advocacy Staff, Atlanta, GA (2022)
  Provided **Testimony** as an expert witness in Docket No. 44280 Georgia Power Company's 2022 Rate Case Depreciation Study.
- Inland Empire Paper Co., Spokane, WA (2020)
  Provided **Testimony** as an expert witness in WUTC Docket No. UE-200900, Avista Corp's 2020 Rate Case regarding avoided cost pricing for a special contract.
- Davison Van Cleve, PC, Portland, OR 2021
  Provided **Testimony** as an expert witness for Alliance of Western Energy Consumers regarding depreciation, cost of service, rate design, and revenue requirement in Portland General Electric Company 2021 General Rate Case, Public Utility Commission of Oregon, Docket No. UE 394.
- Davison Van Cleve, PC, Portland, OR 2021
  Provided comments as an expert witness for Alliance of Western Energy Consumers in Puget Sound Energy's 2022 General Rate Case, Washington Utilities and Transportation Commission.
- Davison Van Cleve, PC, Portland, OR 2022
  Provided comments as an expert witness for Alliance of Western Energy Consumers in Puget Sound Energy's 2022 General Rate Case, Washington Utilities and Transportation Commission.
- Davison Van Cleve, PC, Portland, OR 2021

Provided comments as an expert witness for Alliance of Western Energy Consumers in Avista Corp's Clean Energy Implementation Plan, Washington Utilities and Transportation Commission.

- Davison Van Cleve, PC, Portland, OR 2021
  Provided comments as an expert witness for Alliance of Western Energy Consumers in PacifiCorp's General Rate Case, Public Utility Commission of Oregon, Docket No. UE 399.
- Davison Van Cleve, PC, Portland, OR 2021
  Provided comments as an expert witness for Alliance of Western Energy Consumers in Puget Sound Energy's Clean Energy Implementation Plan, Washington Utilities and Transportation Commission.
- Hagens Berman Sobol Shapiro LLP, Phoenix, Arizona, 2021
  Deposed as an expert witness for plaintiffs re calculation of economic harm due to breach of contract in Kronenberg, et al. vs. Allstate Insurance Company, et al. United States District Court Eastern District of New York Case No.: 18-cv-06899 (NGG) (JO).
- Baumgartner Law, LLC, Denver, CO, 2021
  Deposed as an expert witness for plaintiffs re calculation of economic harm due to injury in re In Re: Bernadette Romero and Leonard Martinez v. City of Westminster
- Killmer, Lane, and Newman, LLP, Denver, Colorado, 2020
  Retained as expert witness for plaintiff re racial disparities in police use of force re Estate of Elijah J. McClain V. City Of Aurora, Colorado, Case No. 1:19-cv-01160-RM-MEH, United States District Court, District of Colorado.
- Hagens Berman Sobol Shapiro LLP, Phoenix, Arizona, 2020
  Deposed as an expert witness for plaintiffs re calculation of economic harm due to breach of contract in Fortson, et al. v. Garrison Property and Casualty Insurance Co. United States District Court Middle District of North Carolina Civil Action No. 1:19-cv-294.
- Hagens Berman Sobol Shapiro LLP, Phoenix, Arizona, 2020
  Deposed as an expert witness for plaintiffs re calculation of economic harm due to breach of contract in Lewis and Lewis, et al. v. Government Employees Insurance Co. United States District Court For the District of New Jersey Civil Action No. 1:18−CV−05111−RBK−AMD.
- Cable Huston, LLP, Portland, OR 2020
  Retained as an expert witness for Alliance of Western Energy Consumers regarding revenue requirement, rate spread and rate design in Cascade Natural Gas Corporation Request for General Rate Revision, Public Utility Commission of Oregon, Docket No. UG 390.
- Davison Van Cleve, PC, Portland, OR 2020
  Retained as an expert witness for Alliance of Western Energy Consumers regarding net power costs in Portland General Electric Company 2021 Annual Power Cost Update Tariff, Public Utility Commission of Oregon, Docket No. UE 377.
- Davison Van Cleve, PC, Portland, OR 2020
  Retained as an expert witness for Alliance of Western Energy Consumers regarding net power costs in Portland General Electric Company 2021 Annual Update Tariff, Public Utility Commission of Oregon, Docket No. UE 381.
- Davison Van Cleve, PC, Portland, OR 2020

Retained as an expert witness for Alliance of Western Energy Consumers regarding revenue requirement, rate spread and rate design in Nevada Power Company 2021 General Rate Case, Public Utility Commission of Nevada, Docket No. 20-06003

- Frank & Salahuddin LLC, Denver, Colorado, 2020
  Retained as an expert witness for plaintiffs regarding calculation of lost earnings.
- Level Development Group, LLC, Denver, Colorado, 2020
  Develop real estate valuation model for establishing sale price of newly constructed residential housing.
- Hagens Berman Sobol Shapiro LLP, Phoenix, Arizona, 2020
  Deposed as an expert witness for plaintiffs re calculation of economic harm due to breach of contract in Jeff Olberg v. Allstate Insurance Company, Case No. C18-0573-JCC, United States District Court, Western District of Washington at Seattle.
- Hagens Berman Sobol Shapiro LLP, Phoenix, Arizona, 2020
  Deposed as an expert witness for plaintiffs re calculation of economic harm due to breach of contract in re Cameron Lundquist v. First National Insurance Company of America, Case No. 18-cv-05301-RJB, United States District Court, Western District of Washington at Tacoma.
- Killmer, Lane, and Newman, LLP, Denver, Colorado, 2020
  Deposed as expert witness for plaintiff re racial disparities in police use of force re Brandon Washington V. City Of Aurora, Colorado, Case No. 1:19-cv-01160-RM-MEH, United States District Court, District of Colorado.
- Davison Van Cleve, PC, Portland, OR 2020
  Retained as an expert witness for Alliance of Western Energy Consumers regarding coal plant pollution control investments, coal plant decommissioning costs, rate spread and rate design re PacifiCorp 2020 Request for a General Rate Revision, Public Utility Commission of Oregon Docket No. UE 374.
- Davison Van Cleve, PC, Portland, OR and Washington Attorney General, 2020
  Retained as an expert witness for Packaging Company of America and Washington Public Council regarding decommissioning costs and rate design re PacifiCorp 2020 Request for a General Rate Revision, Washington Utility and Transportation Commission.
- Sanger Law, PC, Portland, OR, 2019
  Retained as a consultant for Renewable Energy Coalition and for Northwest & Intermountain Power Producers Coalition to provide analysis of PacifiCorp avoided costs in a Utility PURPA Compliance Filing at the Washington Utility and Transportation Commission Docket, No. UE-190666.
- Sanger Law, PC, Portland, OR, 2019
  Retained as a consultant for Northwest & Intermountain Power Producers Coalition to provide analysis of Portland General Electric avoided costs in support of testimony to the Oregon Legislature.
- Powder River Basin Resource Council, Laramie, Wyoming, 2019.
  Testified as an expert witness for Powder River Basin Resource Council regarding coal plant closures re PacifiCorp 2019 Integrated Resource Plan, Wyoming Public Service Commission Docket No. 90000-147-XI-19.
- The Law Office of Ralph Lamar, Arvada, CO 2019

Deposed as an expert witness for plaintiffs regarding lost profits of a Farmers insurance agency

- Jester, Gibson & Moore, Denver, CO 2019
  Retained as an expert witness for plaintiffs regarding lost earnings in an ADEA wrongful termination matter.
- Albrechta & Coble, Ltd. Fremont, OH 2019
  Retained as an expert witness for plaintiff regarding lost earnings in a race related wrongful termination matter.
- Conrad Law, PC, Salt Lake City, UT 2019
  Retained as an expert witness for Ellis-Hall Consultants, LLC. regarding economic damages in Ellis-Hall Consultants, LLC. et. al. v. George B. Hofmann IV, United States District Court, District of Utah, Central Division.
- Davison Van Cleve, PC, Portland, OR 2019
  Retained as an expert witness for Alliance of Western Energy Consumers regarding net variable power cost calculations in PORTLAND GENERAL ELECTRIC COMPANY, 2020 Annual Power Cost Update Tariff Public Utility Commission of Oregon Docket No. UE 359.
- Sanger Law, PC, Portland, OR, 2019
  Testified as an expert witness for Renewable Energy Coalition and Rocky Mountain Coalition for Renewable Energy regarding Qualified Facility avoided costs in Application of Rocky Mountain Power for a Modification of Avoided Cost Methodology and Reduced Term of PURPA Power Purchase Agreements Public Service Commission of Wyoming Docket No. 20000-545-ET-18
- Sanger Law, PC, Portland, OR, 2019
  Retained as an expert witness for Cafeto Coffee Company regarding the necessity, design, and location of transmission lines in SPRINGFIELD UTILITY BOARD Petition for Certificate of Public Convenience and Necessity Public Utility Commission of Oregon Docket No. PCN 3.
- Baumgartner Law, LLC, Denver, CO, 2018
  Retained as an expert witness for plaintiffs re calculation of economic harm due to injury in re Eric Bowman, v. Top Tier Colorado, LLC,, Case No. 18CV31359, United States District Court, District of Colorado.
- Cohen Milstein Sellers & Toll PLLC, Washington DC, 2018
  Retained as an expert witness for plaintiffs re calculation of economic harm due to breach of contract in re Isaac Harris et al. v. Medical Transportation Management, Inc., Civil Action No. 17-1371, United States District Court, District of Columbia.
- Davison Van Cleve, PC, Portland, OR 2020
  Retained as an expert witness for Alliance of Western Energy Consumers regarding depreciation rates in re PacifiCorp Application for Authority to Implement Revised Depreciation Rates, Public Utility Commission of Oregon Docket No. UM 1968.
- Davison Van Cleve, PC, Salem, OR and Washington Attorney General, OR 2020
  Retained as an expert witness for Packaging Company of America and Washington Public Council regarding depreciation rates in re Pacific Power 2018 Depreciation Study, Washington Utility and Transportation Commission, Docket No. UE-180778.
- Hagens Berman Sobol Shapiro LLP, Phoenix, Arizona, 2018

Deposed as an expert witness for plaintiffs re calculation of economic harm due to breach of contract in re Vicky Maldonado and Carter v. Apple Inc., AppleCare Services Company, Inc., and Apple CSC, Inc., Case No. 3:16-cv-04067-WHO, United States District Court, District of California.

- Hagens Berman Sobol Shapiro, LLP, Phoenix, Arizona, 2018
  Deposed and testified as an expert witness for plaintiffs re calculation of unpaid mileage for truck drivers in re Swift Transportation Co., Inc., Civil Action No. CV2004-001777, Superior Court of the State of Arizona, County of Maricopa.
- Killmer, Lane, and Newman, LLP, Denver, Colorado, 2018
  Retained as expert witness for plaintiffs re reasonable attorney fees in re Jeanne Stroup and Ruben Lee, v. United Airlines, Inc., Case No. 15-cv-01389-WYD-STV, United States District Court, District of Colorado.
- Klein and Frank, PC, Denver, Colorado, 2018
  Retained as expert witness for plaintiffs re potential jury bias in re Gail Goehrig and Chris Goehrig v. Core Mountain Enterprises, LLC, Case No. 2016CV030004, San Juan County District Court.
- Robert Belluso, Pennsylvania, 2017
  Retained as expert witness for plaintiff re lost profit in re Robert Belluso D.O. v Trustees of Charleroi Community Park, PHRC Case No. 201505365, Pennsylvania Human Relations Commission.
- Lowery Parady, LLC, Denver, Colorado, 2017
  Analyzed payroll data and calculated unpaid overtime and unpaid hours for plaintiff class action in re Violeta Solis, et al. v. The Circle Group, LLC, et al., Case No. 1:16-cv-01329-RBJ, United States District Court, District of Colorado.
- Sawaya & Miller Law Firm, Denver, Colorado, 2017
  Provided data processing and analysis of employment records.
- Financial Scholars Group, Orinda, California, 2017
  Provided analysis of risk profile in bundled real estate and personal loans in re Old Republic Insurance Company v. Countrywide Bank et al., Circuit Court of Cook County, Illinois, Chancery Division.
- Financial Scholars Group, Orinda, California, 2017
  Provided consultation and analysis of financial market transactions in preparation of settlement claims filings in re Laydon v. Mizuho Bank, Ltd., et al. and Sonterra Capital Master Fund Ltd., et al v. UBS AG et al.
- Clean Energy Action, Boulder, Colorado, 2016 – 2017
  Provided consultation on the appropriate discounting methodology used in energy resource planning in the Public Service Company of Colorado application for approval of the 2016 Electric Resource Plan, Proceeding No. 16A-0396E, Public Utilities Commission of the State of Colorado.
- Confidential Client, 2016
  Provided analysis and report on the probability that distinct crimes are independent events based on geographical analysis of crime rates.
- Christine Lamb and Kevin James Burns, Denver, Colorado, 2016

Provided data analysis for defendant of the impact of ethnicity on termination decisions in re Aragon et al v. Home Depot USA, Inc., Case No. 1:15-cv- 00466-MCA-KK, United States District Court, District of New Mexico.

- Steptoe & Johnson LLP, Washington, DC, 2015 – 2016
  Programmed analysis of internet traffic data for plaintiffs applying a proprietary probability model developed to identify and verify accounts responsible for repeated infringements of asserted copyrights by defendants' internet subscribers in re BMG Rights Management (US) LLC, and Round Hill Music LP v. Cox Enterprises, Inc., et al., Case No. 1:14-cv-1611(LOG/JFA), United States District Court Eastern District of Virginia, Alexandria Division.
- Padilla & Padilla, PLLC, Denver, Colorado, 2014 – 2016
  Provided research and analysis for plaintiffs re the impact on minority applicants from use of the AccuPlacer Test by the City and County of Denver, and estimated damages in re Marian G. Kerner et al. v. City and County of Denver, Civil Action No. 11-cv-00256-MSK-KMT, United States District Court, District of Colorado.
- U.S. Equal Employment Opportunity Commission, 2013
  Provided statistical analysis of EEOC filings.

OTHER REGULATORY PROCEEDINGS:

- Portland General Electric 2018 AUT UE 335
- Portland General Electric 2016 Annual Power Cost Variance Docket No. UE 329.
- PacifiCorp 2016 Power Cost Adjustment Mechanism Docket No. UE 327.
- Public Utility Commission of Oregon Staff Investigation into the Treatment of New Facility Direct Access Charges Docket No. UM 1837
- PacifiCorp Oregon Specific Cost Allocation Investigation Docket No. UM 1824.
- PacifiCorp 2018 Transition Adjustment Mechanism Docket No. UE 323.
- Portland General Electric 2018 General Rate Case Docket No. UE 319.
- Avista Corp. 2017 General Rate Case Docket No. UG 325.
- Portland General Electric Affiliated Interest Agreement with Portland General Gas Supply Docket No. UI 376.
- Portland General Electric 2017 Automated Update Tariff Docket No. UE 308
- PacifiCorp 2017 Transition Adjustment Mechanism Docket No. UE 307
- Portland General Electric 2017 Reauthorization of Decoupling Adjustment Docket No. UE 306
- Northwest Natural Gas Investigation of WARM Program Docket No. UM 1750.
- PacifiCorp Investigation into Multi-Jurisdictional Allocation Issues Docket No. UM 1050.
- Idaho Power Company 2015 Power Supply Expense True Up Docket No. UE 305
- Homer Electric Association 2015 Depreciation Study U-15-094
- Submitted prefiled testimony regarding the depreciation study.
- Chugach Electric Association 2015 Rate Case U-15-081
- Developed staff position regarding margin calculations.
- ENSTAR 2014 Rate Case U-14-111
- Submitted prefiled testimony regarding sales forecast.
- Alaska Pacific Environmental Services 2014 Rate Case U-14-114/115/116/117/118

Submitted prefiled testimony regarding cost allocations, cost of service, cost of capital, affiliated interests, and depreciation.

- Alaska Waste 2014 Rate Case U-14-104/105/106/107
  Submitted prefiled testimony regarding cost of service study, cost of capital, operating ratio, and affiliated interest real estate contracts.
- Fairbanks Natural Gas 2014 Rate Case U-14-102
  Submitted prefiled testimony regarding cost of service study and forecasting models.
- Avista 2015 Rate Case U-14-104
  Submitted analysis supporting OPUC Staff settlement positions regarding Avista's sales and load forecast, decoupling mechanisms and interstate cost allocation methodology. Represented Staff in settlement conferences on November 21, November 26, and December 4, 2013.
- Portland General Electric 2015 Rate Case
  Submitted pre-filed opening testimony addressing PGE's sales forecast, printing and mailing budget forecast, mailing budget, marginal cost study, line extension policy and reactive demand charge. Represented OPUC Staff in settlement conferences on May 20, May 27, and June 12, 2014.
- Portland General Electric 2014 General Rate Case
  Submitted analysis supporting OPUC Staff settlement positions regarding PGE's sales and load forecast, revenue decoupling mechanism, and cost of service study. Represented OPUC Staff in settlement conferences on May 29, June 3, June 6, July 2, and July 9 of 2013. Submitted testimony in support of partial stipulation, pre-filed opening testimony addressing PGE's decoupling mechanism, and testimony in support of a second partial stipulation.
- PacifiCorp 2014 General Electric Rate Case
  Submitted analysis supporting OPUC Staff settlement positions regarding PacifiCorp's sales and load forecast and cost of service study. Represented Staff in settlement conferences on June 12 through June 14, 2013.

BEFORE THE

PUBLIC UTILITY COMMISSION OF OREGON

UM 2377

In the Matter of	)
	)
PORTLAND GENERAL ELECTRIC COMPANY,	)
	)
Investigation into Marginal Cost Study Treatment of Costs for Large Customers and Further Modifications to Portland General Electric Company's Rule C and Rule I.	)

EXHIBIT AWEC/102

PGE RESPONSES TO DATA REQUESTS

PROTECTED INFORMATION

SUBJECT TO GENERAL PROTECTIVE ORDER

July 24, 2025

To: Jesse O. Gorsuch
Alliance of Western Energy Consumers

From: Jaki Ferchland
Senior Manager, Revenue Requirement

Portland General Electric Company
UM 2377
PGE's Response to AWEC Data Request 001
Dated July 10, 2025

Request:

Without disclosing individual customer identities, please identify each new load request exceeding 20 MW from January 1, 2020 to present. For each request provide:

a. Date of request
b. Initially requested load ramp by quarter.
c. Actual load by quarter.
d. Indicate whether the requested load was to serve a data center.

Response:

PGE objects to this data request to the extent it requires production of sensitive, confidential customer information. Without waiving and subject to this objection, PGE responds as follows. These load requests are either energized or proceeding through the energization process.

a. See UM 2377_CONF_PGEtoAWEC_DR1R_Attachment A
b. See UM 2377_CONF_PGEtoAWEC_DR1R_Attachment A
c. PGE cannot provide actual customer load data that does reveal individual customer usage information and would need to be designated as highly confidential information. PGE is in the process of compiling this data in a way that it can be provided in a form that does not require designation as highly confidential and will supplement this response as soon as possible.
d. Each load request in the spreadsheet attachment serves a data center.

UM 2377_CONF_PGEtoAWEC_DR1R_Attahment A contains confidential information subject to General Protective Order 23-132.

[redacted]

Load Ramp by Year as Initally Requested

[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
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July 24, 2025

To: Jesse O. Gorsuch
Alliance of Western Energy Consumers

From: Jaki Ferchland
Senior Manager, Revenue Requirement

Portland General Electric Company
UM 2377
PGE's Response to AWEC Data Request 002
Dated July 10, 2025

Request:

Does PGE require large customers to sign an energy service agreement or other similar contract? If yes, please provide any active contracts for each existing customer with load greater than 20 MW, with customer identities redacted. If PGE uses a form contract, please provide the form contract.

Response:

PGE objects to this data request on the grounds that it is vague and ambiguous in that it fails to define the terms "large customers" or "energy service agreement." Without waiving and subject to the foregoing objection, PGE answers as follows.

Pursuant to Rule I of PGE's retail tariff, PGE does require certain large customers to sign contracts for service. This may be a Minimum Load Agreement (MLA), Line Extension Cost Agreement (LECA) or a Large Load Customer Agreement (LLCA), depending on the size of the customer. PGE cannot provide copies of these contracts without designating them as highly confidential but UM 2377_CONF_PGEtoAWEC_DR2R_Attachment A contains an example of a MLA, LECA, and an LLCA. UM 2377_CONF_PGEtoAWEC_DR2R_Attachment A contains confidential information and is protected under General Protective Order 23-132.