

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1081

In the Matter of)
)
An Investigation Into Direct Access Issues) **RULING**
for Industrial and Commercial Customers)
Under SB 1149.)

DISPOSITION: MOTION TO MODIFY PROCEDURAL SCHEDULE GRANTED

Commission Staff filed a Motion to Modify Procedural Schedule (Motion) on May 11, 2004. The Motion seeks to extend the due date for submission of Staff and Intervenor testimony and correspondingly, the due date for submission of PacifiCorp reply testimony, by one week respectively. The due date for Staff and Intervenor testimony would be moved from May 13, 2004 to May 20, 2004, while the due date for PacifiCorp's reply testimony would be moved from June 17, 2004 to June 24, 2004. Staff also requests the cancellation of a settlement conference currently scheduled for May 20, 2004.

Staff represents that an additional week is needed, prior to the submission of any testimony in the case, to continue efforts to reach and finalize agreement regarding the appropriate method to calculate the transition adjustment for PacifiCorp's Fall 2004 window. Staff does not seek any other modification to the schedule.

Staff indicates that PacifiCorp and the Industrial Customers of Northwest Utilities (ICNU) support the Motion. Staff also represents that all parties to the proceeding have been notified of the Motion. Portland General Electric Company (PGE), EPCOR Merchant & Capital (US), Inc. (EPCOR), and Constellation NewEnergy have indicated no objection. No party has voiced an objection to the Motion.

I find that continuing efforts by Staff, PacifiCorp and ICNU to reach and finalize agreement on the appropriate method for a transition adjustment warrants modifying the procedural schedule in this docket. Based on Staff's representations that all parties have been notified of the proposed revisions to the procedural schedule and that no party has raised an objection, I conditionally grant Staff's Motion. A party may still file an objection to the revised procedural schedule by 5:00 p.m. on May 14, 2004.

If no party files an objection by such time, Staff's Motion is finally granted, and the revised procedural schedule in this docket shall be:

Staff and intervenor testimony due	May 20, 2004
PacifiCorp files reply testimony	June 24, 2004
Hearing	July 1, 2004
Opening briefs due	July 20, 2004
Closing briefs due	July 30, 2004

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

Dated this 12th day of May, 2004, at Salem, Oregon.

Traci A. G. Kirkpatrick
Administrative Law Judge