

Davison Van Cleve PC

TEL (503) 241-7242 • FAX (503) 241-8160 • mail@dvclaw.com

Suite 2460
1000 SW Broadway
Portland, OR 97205

June 22, 2004

Via Facsimile, Electronically, and U.S. Mail

Ms. Cheryl Walker
Oregon Public Utility Commission
P.O. Box 2148
Salem OR 97308-2148

Re: In the Matter of Oregon Electric Utility Company, LLC, et al., Application for
Authorization to Acquire Portland General Electric Company
Docket No. UM 1121

Dear Ms. Walker:

Enclosed please find an original and six copies of the Response of the Industrial Customers of Northwest Utilities in Opposition to Applicants' Motion Requesting Certification of Judge Smith's Ruling Denying Motion for Additional Protection in the above-captioned Docket.

Please return a file-stamped copy of this document in the self-addressed, stamped envelope provided. Thank you for your assistance.

Sincerely,



Ruth A. Miller

Enclosures

cc: Service List

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1121

In the Matter of)	
)	RESPONSE OF THE INDUSTRIAL
OREGON ELECTRIC UTILITY)	CUSTOMERS OF NORTHWEST
COMPANY, LLC, et al.,)	UTILITIES IN OPPOSITION
)	TO APPLICANTS' MOTION REQUESTING
Application for Authorization to Acquire)	CERTIFICATION OF JUDGE SMITH'S
Portland General Electric Company)	RULING DENYING MOTION FOR
)	ADDITIONAL PROTECTION
)	
)	

INTRODUCTION

Pursuant to OAR § 860-013-0050, the Industrial Customers of Northwest Utilities (“ICNU”) submits this Response (“Response”) in Opposition to the Motion Requesting Certification of Judge Smith’s Ruling (the “Ruling”) Denying Motion for Additional Protection filed by Oregon Electric Utility Company, LLC, et al. (the “Applicants”) on June 7, 2004, in Oregon Public Utility Commission (“OPUC” or the “Commission”) Docket No. UM 1121. ICNU requests that the Commission deny the Applicants’ Motion for Certification of the Ruling (“Motion for Certification”), because the Applicants have not demonstrated that the Ruling will result in undue prejudice to their legal rights. Moreover, there is no basis for certification, because the Ruling properly rejected the arguments in the Applicants’ Motion for Additional Protection (“Motion for Additional Protection”).

In the Ruling, Administrative Law Judge (“ALJ”) Smith denied the Applicants’ request for additional protection for the following information sought in discovery: 1) the Texas

Pacific Group (“TPG”) financial model; 2) TPG’s prospectuses, or private placement memoranda (“PPM”); 3) the minutes of TPG’s investment review committee (“IRC”) meetings and the underlying due diligence; and 4) a list of investors in TPG. The ALJ found that all of this information was relevant and discoverable and ordered the parties to collaborate on a method of disclosure.

The Applicants now request certification of the Ruling on the basis that: 1) the ALJ wrongly decided the Ruling; and 2) the ALJ failed to apply the appropriate standard for determining whether additional protection was justified. Motion for Certification at 1. The ALJ should deny the Motion for Certification for the following reasons:

1. The Ruling unambiguously orders the Applicants to disclose the materials at issue. The Applicants already have provided to ICNU the financial model, the PPMs, and the IRC minutes. It is only the Applicants’ unreasonable belief that the Ruling does not require full disclosure of the TPG investor list that remains to be resolved. The ALJ should resolve this issue by reiterating the Applicants’ obligation to disclose the list and denying the Motion for Certification;
2. The Motion for Certification is fundamentally flawed. The Applicants do not establish that the Ruling will result in undue prejudice their legal rights, which is the standard by which requests for certification are evaluated. The Applicants already have produced the majority of the materials at issue to ICNU and the Ruling specifically reserves the Applicants’ right to object to any future requests for these materials by other parties. Under these circumstances, it is virtually impossible for the Applicants to credibly claim that they will suffer undue prejudice;
3. The Ruling addressed and properly rejected all of the Applicants’ arguments in favor of additional protection. The Applicants’ claims that the ALJ decided the issues wrongly and did not balance the interests are unfounded.

The Applicants’ request for certification is little more than a method to assert before the Commission the arguments about relevance and potential harm of inadvertent

disclosure that were correctly rejected by the ALJ. Thus, there is no basis for certification. If, however, the Ruling is certified, the Commission should uphold the ALJ's decision for both the reasons stated in this Response and those previously stated in ICNU's and the Citizens' Utility Board's ("CUB") Response to the Motion for Additional Protection.^{1/}

ARGUMENT

A. There Would be no Dispute to Certify to the Commission if the Applicants Would Provide the TPG Investor List

The Applicants' request for certification is unwarranted because the Ruling unambiguously orders the Applicants to disclose the materials at issue to the three requesting parties: ICNU, CUB, and the City of Portland. The issue left unresolved by the Ruling was the method by which the Applicants would disclose the information at issue. Ruling at 4. The Applicants and ICNU have reached agreement concerning disclosure of the financial model, the PPMs, and the IRC minutes.^{2/} Attachment A, Declaration of Melinda Davison at 1 (June 21, 2004). ICNU understands that the Applicants have had similar discussions with CUB.

In light of these agreements, it is only the TPG investor list that remains at issue. The Applicants state that certification is justified because they "do not believe that any compromise is possible with respect to disclosure of [the TPG investor list]." Motion for Certification at 2. If the parties are unable to reach a compromise on this issue, then the ALJ should determine the method of disclosure; it does not require certification of the issue to the Commission. Although counsel for ICNU believes that agreement on this issue is possible, the

^{1/} ICNU incorporates the arguments in its Response to the Applicants' Motion for Additional Protection dated May 5, 2004, which describes the withheld information and why it should be disclosed to requesting parties.

^{2/} The Applicants have redacted certain information in these materials, and ICNU has objected to certain of these redactions. ICNU hopes to work out with the Applicants the issue of excessive redactions of materials.

Applicants' inability to formulate a proposal for a method to disclose the investor list prevented any serious discussion of a resolution for over two weeks after the Ruling was issued. Indeed, despite repeated conversations with ICNU regarding disclosure of this information since the Ruling was issued, the Applicants made an "initial proposal" regarding disclosure of the investor only last week. Attachment B, June 15, 2004, Letter from Lisa Rackner to Melinda J. Davison. Under these circumstances, the fact that the Applicants and ICNU have not reached agreement on the one issue remaining after the Ruling does not justify certifying the decision to the Commission.

The Applicants' belief that no compromise is possible appears to be based, in part, on their interpretation that the Ruling requires disclosure of only the investors on the list who are from Oregon. Motion for Certification at 2. ICNU disagrees with the Applicants' interpretation; however, if the Applicants and ICNU are unable to resolve the dispute, the proper way to resolve this issue is clarification of the Ruling by the ALJ, not certification to the Commission. In order to facilitate resolution of the issues related to disclosure of the TPG investor list, ICNU urges the ALJ to: 1) reiterate her order that the Applicants disclose the list to the requesting parties; and 2) clarify that this order applies to all investors on the list, not just those from Oregon.

Finally, certification of the Ruling is not necessary to prevent prejudice to the Applicants from another party requesting the materials at issue in the future. The Ruling specifically reserves the Applicants' right to object to such a request if and when it is made. Ruling at 1. In short, the Ruling preserved the Applicants' rights to object to providing the information in the future, there is no dispute about most of the information at issue, and the

parties are working on resolving the one remaining issue. Under these circumstances, there is no basis for certification of the Ruling.

B. The Applicants Have not Established that they will be Prejudiced by the Ruling

A party that requests certification of an ALJ's decision must demonstrate that the ruling "may result in substantial detriment to the public interest or undue prejudice to any party." OAR § 860-014-0091(1)(a); Re Qwest Corporation, Docket No. UM 1025, Order No. 03-533 at 1 (Aug. 28, 2003). It does not appear that the Commission has specifically addressed what constitutes "undue prejudice" for the purposes of certification. "Prejudice" generally is understood, however, to refer to "[d]amage or detriment to one's legal rights or claims." Black's Law Dictionary at 1198 (7th ed. 1999).

The Applicants' entire basis for requesting certification is the unsupported assertion that the Ruling will result in substantial prejudice. Motion for Certification at 5. Nevertheless, the Applicants do not elaborate on how the Ruling affects their legal rights or claims or how they will otherwise be prejudiced in the context of this proceeding. Id. In fact, the Applicants do not provide any evidence or even an example to demonstrate how the Ruling will affect their rights or actions in any way. The Applicants already have provided most of the information at issue to various parties so there is no credible argument that disclosure alone prejudices their rights. Furthermore, the ALJ went out of her way to preserve the Applicants' right to object to disclosure in the event that another party requests the information at issue. Under these circumstances, the Applicants are not prejudiced.

The main purpose of the Motion for Certification appears to be to complain about the ALJ's decision and assert before the Commission arguments that were considered and

properly rejected. To this end, the Applicants once again argue that the information at issue is irrelevant and speculate about the potential harm that could result if this information was inadvertently disclosed and then was obtained by TPG's competitors. As described below, the ALJ correctly decided that all of the materials at issue were relevant. The Applicants' claims about the potential for harm as a result of inadvertent disclosure are tenuous at best. These arguments provide no basis to preclude ICNU, CUB, and the City of Portland from discovering the information at issue.

C. The Ruling Properly Denied the Motion for Additional Protection

The Applicants have not justified certification of the Ruling by showing that it will result in undue prejudice. Nevertheless, if the Ruling is certified to the Commission on other grounds, the Commission should uphold the decision because it was correctly decided. The Applicants put forth two primary reasons in the Motion for Additional Protection as to why all parties other than Staff should be precluded from receiving the information at issue: 1) the information was irrelevant; and 2) disclosure to parties other than Staff could lead to inadvertent public disclosure, which potentially could harm TPG. Motion for Additional Protection at 4. The ALJ properly rejected these arguments, finding that the requested materials were relevant and that disclosure to the requesting parties was appropriate. Ruling at 2-3. The Applicants' request for certification merely argues before the Commission the points that the ALJ already rejected.

1. The Benefit of Disclosure to ICNU, CUB, and the City Outweighs any Potential Harm from the Risk of Inadvertent Disclosure

The Applicants claim that the Ruling is wrongly decided because it “denied Applicants’ Motion for Additional Protection without weighing the risk of potential harm to TPG from inadvertent public disclosure as required by the Commission’s prior decisions.” Motion for Certification at 5. According to the Applicants, this is the standard by which the Commission must evaluate a request for additional protection. Id. at 7. The Applicants’ claim is misplaced.

The Commission decisions regarding additional protection do not establish that the Commission always evaluates requests for additional protection by balancing the potential harm against the benefit of disclosure. In certain cases, the Commission has resolved requests for additional protection without applying this standard. See, e.g., Re PGE, OPUC Docket No. UE 102, Order No. 98-294 (Jul. 16, 1998); Re Scottish Power, OPUC Docket No. UM 918, Order No. 99-293 (Apr. 27, 1999). Moreover, the Commission has repeatedly stated that its decisions regarding requests for additional protection are fact-specific, are based on the pleadings and evidence before the Commission at that time, and should not be construed as precedent for future requests. Re PGE, OPUC Docket No. UE 102, Order No. 98-163 at 4 (Apr. 20, 1998); Re Scottish Power, Docket No. UM 918, Order No. 99-106 at 2 (Feb. 19, 1999). In other words, the Applicants’ criticism of the ALJ for not applying a particular standard is unfounded, because the decisions regarding additional protection are fact-specific.

The facts surrounding the Applicants’ Motion for Additional Protection reveal that the Applicants’ primary argument in favor of additional protection was that the information

at issue was irrelevant, not that disclosure would result in definitive harm.^{3/} Indeed, the Applicants did not provide any evidence to substantiate the harm they alleged until ICNU and CUB questioned their claims. See Re Oregon Electric Utility Company et al., OPUC Docket No. UM 1121, Applicants’ Reply in Support of Additional Protection Under Protective Order (May 13, 2004). Instead, the Applicants emphasized heavily that the financial model, the PPMs, and the TPG investor lists all were irrelevant. Motion for Additional Protection at 4, 6-8, 10. The ALJ addressed and properly rejected those arguments and there is no basis to alter the Ruling. In short, the discussion in the Ruling was of the Applicants’ own making.

Furthermore, in arguing that the harm from disclosure outweighs the benefit, the Applicants mischaracterize the test and the facts. The Applicants stress that “[t]he appropriate standard is an analysis of whether the harm to TPG from inadvertent public disclosure of its customers’ identities outweighs the benefit of allowing the other parties to review a customer list” Motion for Certification at 7. The Applicants also argue that they “should not be forced to reveal their most competitively sensitive information to the 106 Qualified Persons in this docket” Id. at 3. First, denying the Motion for Additional Protection did not force the Applicants to reveal any of the information at issue to 106 persons. In fact, it only required the Applicants to disclose that information to the representatives of the three parties that have requested the information.

Second, the Applicants mischaracterize the balancing test that they claim the ALJ was required to apply. The test utilized by the Commission in certain previous cases has

^{3/} Notably, the Applicants already had produced all of the information at issue to Staff at the time the Applicants initially claimed that the information was irrelevant. The Applicants’ responses to Staff did not include any objection on the basis of relevance.

“balanced the potential harm which might occur from the disclosure of the information requested against the benefit which might accrue from the information being disclosed.” Re PacifiCorp, OPUC Docket No. UE 116, Order No. 01-219 at 2 (Mar. 9, 2001). The “potential harm” that the Commission considered in these cases, however, was the harm that may result from the disclosure to the requesting parties. Id. The test does not, as the Applicants suggest, involve consideration of the potential harm that might result if the information were disclosed to all 106 Qualified Persons in this Docket or the potential harm that might result if the information were inadvertently disclosed to the public and then obtained by TPG’s competitors. See Motion for Additional Protection at 10.

The Applicants also allege that there is a greater risk of inadvertent disclosure in this Docket because one intervenor, who is not a Qualified Person, stated his intention to release confidential information that is “leaked” to him. Motion for Certification at 9. ICNU believes that good cause exists to withhold confidential information from a party if that party states an intention to publicly disclose such information. However, this is an unusual circumstance that should be dealt with individually rather than seeking to preclude all parties except for Staff from receiving relevant documents.

2. The Ruling Properly Found the Materials at Issue to be Relevant

The Motion for Certification implies that the Ruling was wrongly decided because the ALJ focused heavily on whether the information at issue was relevant. Determinations of relevance are evidentiary questions that are explicitly delegated to the ALJ under the Commission rules. OAR § 860-012-035(d). Thus, this issue is more appropriately decided by the ALJ and should not be a basis for certification.

In addition, as described above, it was the Applicants that asserted irrelevance as the primary basis for additional protection. Specifically, the Applicants claimed the financial model is “irrelevant to this proceeding,” the PPMs are of “little relevance to the Commission’s overall inquiry,” and the investor lists “are not relevant.” Motion for Additional Protection at 6, 8, 10. The ALJ’s findings that all of this information was relevant merely responded to the Applicants’ arguments. Notably, the ALJ found that certain of the information was relevant because the Applicants themselves put it at issue by raising the issue in the initial application. Ruling at 3. There is little doubt that discovery directed toward the issues raised in the application is likely to lead to admissible evidence. Moreover, now that most of this information has been made available to ICNU, the claims of irrelevance are moot.

CONCLUSION

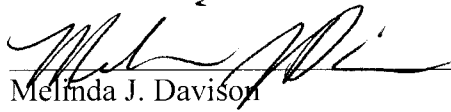
The Applicants have not justified their request for certification. The ALJ correctly decided the issues in the Ruling and the Applicants have not established that they will be prejudiced by the ALJ’s decision. The Applicants present no new arguments that the information at issue is irrelevant and provide no additional evidence to demonstrate that the potential harm to which TPG is exposed as a result of inadvertent public disclosure is anything more than speculation. The Applicants have submitted the Motion for Certification merely to argue before the Commission points that the ALJ already has properly rejected. The Applicants have failed to demonstrate a valid basis for certification.

WHEREFORE, ICNU requests that the ALJ deny the Motion for Certification.

Dated this 22nd day of June, 2004.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.



Melinda J. Davison

Matthew Perkins

Davison Van Cleve, P.C.

1000 SW Broadway, Suite 2460

Portland, OR 97205

(503) 241-7242 phone

(503) 241-8160 fax

mail@dvclaw.com

Of Attorneys for the Industrial Customers of
Northwest Utilities

Attachment A

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1121

In the Matter of)	
)	
OREGON ELECTRIC UTILITY)	DECLARATION OF MELINDA J.
COMPANY, LLC, et al.,)	DAVISON
)	
Application for Authorization to Acquire)	
Portland General Electric Company)	
_____)	

1 I, Melinda J. Davison, hereby declare that I have personal knowledge of the matters set
2 forth in this Declaration and am competent to testify to them:

3 1. My full name is Melinda J. Davison. I am an attorney at the law firm of Davison Van
4 Cleve, P.C. in Portland, Oregon. My business address is: 1000 SW Broadway, Suite
5 2460, Portland, Oregon 97205. I represent the Industrial Customers of Northwest
6 Utilities (“ICNU”) in Oregon Public Utility Commission (“OPUC” or the “Commission”)
7 Docket No. UM 1121.

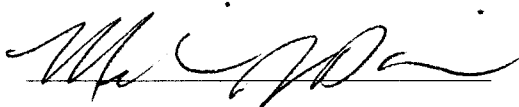
8 2. I have had several telephone conversations and exchanged correspondence with Lisa
9 Rackner of Ater Wynne, LLP regarding disclosure of the materials at issue in
10 Administrative Law Judge Christina M. Smith’s Ruling denying the Motion for
11 Additional Protection filed by Oregon Electric Utility Company et al. (the “Applicants”)
12 on April 20, 2004.

13 3. The Applicants and ICNU reached the following agreements with respect to that
14 information: 1) the Applicants would make the Texas Pacific Group’s (“TPG”) electronic

1 financial model available on a secure website for qualified persons designated by ICNU
2 to access; and 2) the Applicants would provide ICNU copies of the TPG private
3 placement memoranda (“PPMs”) and minutes of the TPG Investment Review Committee
4 (“IRC”). With respect to the PPMs and IRC minutes, ICNU agreed not to make
5 additional copies of these documents and to return the copies that were provided by the
6 Applicants at the end of the proceeding.

- 7 4. ICNU and the Applicants are attempting to reach agreement on a mutually acceptable
8 method of disclosure of the TPG investor list.

9
10 SIGNED THIS 21st day of June, 2004, at Portland, Oregon.

11
12 

13 MELINDA J. DAVISON

14
15 SUBSCRIBED and sworn to before me this 21st day of June, 2004, by Melinda J. Davison.




NOTARY PUBLIC
State of Oregon
County of Multnomah

Attachment B

JUN 17 2004

June 15, 2004

VIA FACSIMILE AND U.S. MAIL

Melinda J. Davison
Davison Van Cleve PC
Suite 2460
1000 SW Broadway
Portland, OR 97205

Re: UM 1121

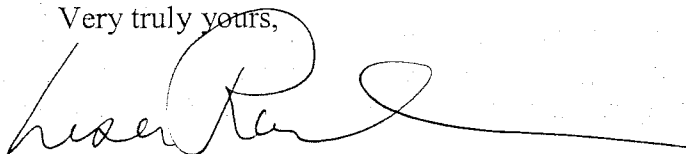
Dear Melinda:

This letter follows up on our discussion regarding INCU's request for the lists of investors in various associated TPG entities, including Tarrant Partners, L.P., TPG Partners III, L.P., and TPG Partners IV, L.P. These documents were the subject of Applicants' Motion for Additional Protection under the Protective Order. In her Order denying Applicants' Motion, the ALJ has directed the parties to collaborate on an acceptable solution to production of the subject documents.

As an initial proposal, Applicants' propose to provide a list of the top 15 investors in each of the TPG funds. This list will not include the names of the investors, but will describe each investor by the type of entity and will provide each investor's percentage interest in the fund. We propose that INCU first review this list to determine whether it provides sufficient information. If INCU believes that more information is necessary, we would then further negotiate to reach a mutually acceptable resolution. We would provide three copies of this list (one to you and one to each of your experts, John Thornton and Don Schoenbeck) and would request that the list not be copied, and that the three copies provided be returned to us at the close of the docket.

Please contact me if this proposal is acceptable.

Very truly yours,



Lisa F. Rackner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Response of the Industrial Customers of Northwest Utilities in Opposition to Applicants' Motion Requesting Certification of Judge Smith's Ruling Denying Motion for Additional Protection upon the parties, shown below, on the official service list for Docket No. UM 1121, by causing the same to be electronically served on all parties whom have an email address on the official service list, and by U.S. Mail, postage-prepaid, to those parties who do not have an email address on the official service list.

Dated at Portland, Oregon, this 22nd day of June, 2004.



Ruth A. Miller

JIM ABRAHAMSON COMMUNITY ACTION DIRECTORS OF OREGON 4035 12TH ST CUTOFF SE STE 110 SALEM OR 97302 jim@cado-oregon.org	SUSAN K ACKERMAN NIPPC PO BOX 10207 PORTLAND OR 97296-0207 susan.k.ackerman@comcast.net
GRIEG ANDERSON 5919 W MILES ST. PORTLAND OR 97219	KEN BEESON EUGENE WATER & ELECTRIC BOARD 500 EAST FOURTH AVENUE EUGENE OR 97440-2148 ken.beeson@eweb.eugene.or.us
JULIE BRANDIS ASSOCIATED OREGON INDUSTRIES 1149 COURT ST NE SALEM OR 97301-4030 jbrandis@aoi.org	KIM BURT WEST LINN PAPER COMPANY 4800 MILL ST WEST LINN OR 97068 kburt@wlinpco.com
J LAURENCE CABLE CABLE HUSTON BENEDICT ET AL 1001 SW 5TH AVE STE 2000 PORTLAND OR 97204-1136 lcable@chbh.com	MICHAEL CARUSO 176 SW HEMLOCK DUNDEE OR 97115 carusodad@hotmail.com
JENNIFER CHAMBERLIN STRATEGIC ENERGY LLC 2633 WELLINGTON COURT CLYDE CA 94520 jchamberlin@sel.com	WILLIAM H CHEN CONSTELLATION NEWENERGY INC 2175 N CALIFORNIA BLVD STE 300 WALNUT CREEK CA 94596 bill.chen@constellation.com

<p>JOAN COTE OREGON ENERGY COORDINATORS ASSOCIATION 2585 STATE ST NE SALEM OR 97301 cotej@mwvcaa.org</p>	<p>CHRIS CREAN MULTNOMAH COUNTY 501 SE HAWTHORNE, SUITE 500 PORTLAND OR 97214 christopher.d.crean@co.multnomah.or.us</p>
<p>MELINDA J DAVISON DAVISON VAN CLEVE PC 1000 SW BROADWAY STE 2460 PORTLAND OR 97205 mail@dvclaw.com</p>	<p>JIM DEASON CABLE HUSTON BENEDICT HAAGENSEN & LLOYD LLP 1001 SW FIFTH AVE STE 2000 PORTLAND OR 97204-1136 jdeason@chbh.com</p>
<p>J JEFFREY DUDLEY PORTLAND GENERAL ELECTRIC 121 SW SALMON ST 1WTC1301 PORTLAND OR 97204 jay_dudley@pgn.com</p>	<p>GARY DUELL 11301 SE CHARVIEW COURT CLACKAMAS, OR OR 97015 gduell@bigplanet.com</p>
<p>JASON EISDORFER CITIZENS' UTILITY BOARD OF OREGON 610 SW BROADWAY STE 308 PORTLAND OR 97205 jason@oregoncub.org</p>	<p>JAMES F FELL STOEL RIVES LLP 900 SW 5TH AVE STE 2600 PORTLAND OR 97204-1268 jffell@stoel.com</p>
<p>ANN L FISHER AF LEGAL & CONSULTING SERVICES 1425 SW 20TH STE 202 PORTLAND OR 97201 energlaw@aol.com</p>	<p>ANDREA FOGUE LEAGUE OF OREGON CITIES PO BOX 928 1201 COURT ST NE STE 200 SALEM OR 97308 afogue@orcities.org</p>
<p>SCOTT FORRESTER FRIENDS OF THE CLACKAMAS RIVER 2030 NE 7TH PL GRESHAM OR 97030 clackamas9@aol.com</p>	<p>KATHERINE FUTORNICK 14800 NE BLUEBIRD HILL LANE DAYTON OR 97114 futork@onlinemac.com</p>
<p>LORA GARLAND L-7 BONNEVILLE POWER ADMINISTRATION P.O. BOX 3621 PORTLAND OR 97208-3621 lmgarland@bpa.gov</p>	<p>LEONARD GIRARD 2169 SW KINGS COURT PORTLAND OR 97205 lgirard@teleport.com</p>
<p>ANN ENGLISH GRAVATT RENEWABLE NORTHWEST PROJECT 917 SW OAK - STE 303 PORTLAND OR 97205 ann@rnp.org</p>	<p>PATRICK G HAGER PORTLAND GENERAL ELECTRIC 121 SW SALMON ST 1WTC0702 PORTLAND OR 97204 patrick_hager@pgn.com</p>
<p>ROY HENDERSON PENSION ENHANCEMENT COMMITTEE 895 NW DALE AVENUE PORTLAND OR 97229 royhensn@msn.com</p>	<p>MARY ANN HUTTON CANON AND HUTTON 9999 NE WORDEN HILL RD DUNDEE OR 97115-9147 mah@canonandhutton.com</p>

<p>JOE JANSSENS PGE PENSION ENHANCEMENT COMMITTEE 24495 BUTTEVILLE RD NE AURORA OR 97002 osprey64@juno.com</p>	<p>VALARIE KOSS COLUMBIA RIVER PUD PO BOX 1193 SAINT HELENS OR 97051 vkoss@crpud.org</p>
<p>GEOFFREY M KRONICK LC7 BONNEVILLE POWER ADMINISTRATION PO BOX 3621 PORTLAND OR 97208-3621 gmkronick@bpa.gov</p>	<p>MICHAEL L KURTZ BOEHM, KURTZ & LOWRY 36 E 7TH ST STE 2110 CINCINNATI OH 45202 mkurtzlaw@aol.com</p>
<p>ROCHELLE LESSNER LANE, POWELL, SPEARS, LUBERSKY LLP 601 SW 2ND AVE. STE. 2100 PORTLAND OR 97204 lessnerr@lanepowell.com</p>	<p>KEN LEWIS 2880 NW ARIEL TERRACE PORTLAND OR 97210 kl04@mailstation.com</p>
<p>STEVEN G LINS GLENDALE, CITY OF 613 E BROADWAY STE 220 GLENDALE CA 91206-4394 slins@ci.glendale.ca.us</p>	<p>JAMES MANION WARM SPRINGS POWER ENTERPRISES PO BOX 960 WARM SPRINGS OR 97761 j_manion@wspower.com</p>
<p>LLOYD K MARBET DON'T WASTE OREGON 19142 S BAKERS FERRY RD BORING OR 97009 marbet@mail.com</p>	<p>GORDON MCDONALD PACIFIC POWER & LIGHT 825 NE MULTNOMAH STE 800 PORTLAND OR 97232 gordon.mcdonald@pacificcorp.com</p>
<p>DANIEL W MEEK DANIEL W MEEK ATTORNEY AT LAW 10949 SW 4TH AVE PORTLAND OR 97219 dan@mEEK.net</p>	<p>THAD MILLER OREGON ELECTRIC UTILITY COMPANY 222 SW COLUMBIA STREET, SUITE 1850 PORTLAND OR 97201-6618 tmiller6@optonline.com</p>
<p>WILLIAM MILLER IBEW 17200 NE SACRAMENTO PORTLAND OR 97230 bill@ibew125.com</p>	<p>CHRISTY MONSON LEAGUE OF OREGON CITIES 1201 COURT ST. NE STE. 200 SALEM OR 97301 cmonson@orcities.org</p>
<p>MICHAEL MORGAN TONKON TORP LLP 888 SW 5TH AVE STE 1600 PORTLAND OR 97204-2099 mike@tonkon.com</p>	<p>FRANK NELSON 543 WILLAMETTE CT MCMINNVILLE OR 97128 fnelson@viclink.com</p>
<p>NANCY NEWELL 3917 NE SKIDMORE PORTLAND OR 97211 ogec2@hotmail.com</p>	<p>JAMES NOTEBOOM KARNOPP PETERSEN NOTEBOOM ET AL 1201 NW WALL ST STE 300 BEND OR 97701 jdn@karnopp.com</p>

<p>LISA F RACKNER ATER WYNNE LLP 222 SW COLUMBIA ST STE 1800 PORTLAND OR 97201-6618 lfr@aterwynne.com</p>	<p>DONALD W SCHOENBECK REGULATORY & COGENERATION SERVICES INC 900 WASHINGTON ST STE 780 VANCOUVER WA 98660-3455 dws@r-c-s-inc.com</p>
<p>REBECCA SHERMAN HYDROPOWER REFORM COALITION 320 SW STARK STREET, SUITE 429 PORTLAND OR 97204 northwest@hydroreform.org</p>	<p>JOHN W STEPHENS ESLER STEPHENS & BUCKLEY 888 SW FIFTH AVE STE 700 PORTLAND OR 97204-2021 stephens@eslerstephens.com</p>
<p>BRETT SWIFT AMERICAN RIVERS 320 SW STARK ST, SUITE 418 PORTLAND OR 97204 bswift@amrivers.org</p>	<p>MITCHELL TAYLOR ENRON CORPORATION PO BOX 1188 1221 LAMAR - STE 1600 HOUSTON TX 77251-1188 mitchell.taylor@enron.com</p>
<p>LAURENCE TUTTLE CENTER FOR ENVIRONMENTAL EQUITY 610 SW ALDER #1021 PORTLAND OR 97205 nevermined@earthlink.net</p>	<p>S BRADLEY VAN CLEVE DAVISON VAN CLEVE PC 1000 SW BROADWAY STE 2460 PORTLAND OR 97205 mail@dvclaw.com</p>
<p>BENJAMIN WALTERS CITY OF PORTLAND - OFFICE OF CITY ATTORNEY 1221 SW 4TH AVE - RM 430 PORTLAND OR 97204 bwalters@ci.portland.or.us</p>	<p>MICHAEL T WEIRICH DEPARTMENT OF JUSTICE 1162 COURT ST NE SALEM OR 97301-4096 michael.weirich@state.or.us</p>
<p>STEVEN WEISS NORTHWEST ENERGY COALITION 4422 OREGON TRAIL CT NE SALEM OR 97305 steve@nwenergy.org</p>	<p>ROBIN WHITE PORTLAND BOMA 1211 SW 5TH AVE STE 2722-MEZZANINE PORTLAND OR 97201 rwhite@bigplanet.com</p>
<p>LORNE WHITTLES EPCOR MERCHANT & CAPITAL (US) INC 1161 W RIVER ST STE 250 BOISE ID 83702 lwhittles@epcor.ca</p>	<p>LINDA K WILLIAMS KAFOURY & MCDUGAL 10266 SW LANCASTER RD PORTLAND OR 97219-6305 linda@lindawilliams.net</p>