

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1121

In the Matter of)	
)	
OREGON ELECTRIC UTILITY)	ASSOCIATED OREGON INDUSTRIES'
COMPANY, LLC, et al.,)	RESPONSE SUPPORTING MOTION TO
)	ADMIT LATE-FILED EXHIBIT
)	
Application for Authorization to Acquire)	
Portland General Electric Company.)	
_____)	

Associated Oregon Industries (“AOI”) respectfully submits this response supporting the “Motion to Admit Late-Filed Exhibit” filed November 1, 2004, by Industrial Customers of Northwest Utilities (“ICNU”) in Docket No. UM 1121 before the Public Utility Commission of Oregon (“Commission”).

In its Motion, ICNU requested that selected portions of the transcript of the deposition of Portland General Electric Company’s President and Chief Executive Officer Peggy Fowler, and exhibit, be accepted into the evidentiary record of this docket as ICNU Exhibit No. 906.

PGE was the only party who initially objected to the entire transcript being admitted into evidence. ICNU and PGE have now stipulated to the admission of these selected portions of the transcript. Enron, Oregon Electric Utility Company, the Citizens’ Utility Board, the City of Portland, and Commission Staff have indicated to ICNU they do not object to the admission of these selected portions. ICNU made an offer of proof regarding the transcript at the October 20, 2004 hearing to preserve its right to seek review of a ruling denying admission of the transcript into the record.

Given the agreement between ICNU and PGE regarding admission of the stipulated pages of the transcript, there is good cause to reopen the record and admit the stipulated pages as a late-filed exhibit. The admission of the selected pages of the transcript will provide relevant and important information, providing a more complete record upon which the Commission can rely in making its decision in this case. It will not burden the record of proceedings or prejudice any party in any way.

Given that briefs in this docket are due shortly, and given the agreements concerning these pared-down selections of the transcript, AOI requests expeditious action to grant the Motion to Admit Late-Filed Exhibit accept the specified portions of the transcript and exhibit into the record.

Dated this 3rd day of November, 2004.

Respectfully submitted,

/s/Mary Ann Hutton

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Of Attorneys for Associated Oregon Industries

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Response Supporting Motion to Admit Late-Filed Exhibit on behalf of Associated Oregon Industries 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 who 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 3rd day of November, 2004.

/s/ Mary Ann Hutton
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