



**Portland General Electric Company**

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**Barbara W. Halle**

*Assistant General Counsel*

June 24, 2004

*Via Facsimile and U.S. Mail*

Ms. Cheryl Walker  
Oregon Public Utility Commission  
PO 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 for filing in the above-captioned docket are an original and five (5) copies of Portland General Electric's Comments Concerning the Deposition of Peggy Fowler in the above-captioned docket.

An extra copy of this cover letter is enclosed. Please date stamp the extra copy and return it to me in the envelope provided.

Thank you in advance for your assistance.

Sincerely,

BWH:am

cc: UM 1121 Service List

Enclosure

BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON  
UM 1121

In the Matter of the Application of	)	
	)	<b>PORTLAND GENERAL ELECTRIC</b>
OREGON ELECTRIC UTILITY	)	<b>COMPANY'S COMMENTS</b>
COMPANY, LLC, et al.,	)	<b>CONCERNING THE DEPOSITION</b>
	)	<b>OF PEGGY FOWLER</b>
For Authorization to Acquire Portland	)	
General Electric Company	)	

Portland General Electric Company ("PGE") submits these comments in response to Industrial Customers of Northwest Utilities' ("ICNU") June 22, 2004 memorandum concerning the deposition of Peggy Fowler. Should the ALJ determine that the deposition go forward, it should be limited in time and scope.

**I. SUBSTANTIVE SCOPE**

The Commission's rules and the June 21, 2004 Order require ICNU to specify the information it seeks from Ms. Fowler. In response, ICNU has itemized a number of issues that it intends to question Ms. Fowler about. But ICNU also purports to reserve the right to "explore additional areas of inquiry." June 22, 2004 Response of ICNU at p. 3, footnote 1. Any deposition of Ms. Fowler should not be open-ended. Rather, in accordance with the June 21 Order, it should be limited to the specific issues identified in advance. Therefore, PGE submits that Ms. Fowler's deposition be limited to the areas of inquiry expressly identified in ICNU's response.

**II. TIMING**

Ms. Fowler's deposition must be limited in time. Ms. Fowler is PGE's most senior executive. She has no intention of proffering any written testimony in this proceeding. Given the breadth of her responsibilities, the limited areas requested for inquiry, and her limited availability during June and July, any deposition must be limited in time. ICNU insists on

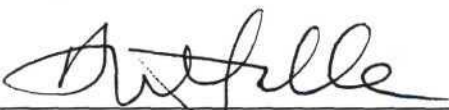
proceeding without first exhausting less intrusive means of establishing its record in this matter. It should be forced to prioritize its inquiry. Ms. Fowler's deposition should be limited to a total of no more than four hours.

### III. CONCLUSION

Counsel for PGE has attempted to confer with ICNU's counsel concerning these points , but the parties have been unable to reach agreement. Should ICNU be allowed to proceed with the deposition it noted of Ms. Fowler, it should be limited to the specific topics enumerated in ICNU's June 22 response brief, and restricted in length to no more than four hours.

DATED this 24<sup>th</sup> day of June, 2004.

PORTLAND GENERAL ELECTRIC COMPANY

By   
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CERTIFICATE OF SERVICE

I certify that I have caused to be served the foregoing Comments of Portland General Electric Company Concerning the Deposition of Peggy Fowler in OPUC Docket No. UM 1121 by First Class U.S. Mail, postage prepaid and properly addressed, to the persons below, and by electronic mail to those persons on the electronic service list maintained by the OPUC.

Dated this 24<sup>th</sup> day of June, 2004.

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