



CITY OF
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July 6, 2004

**BY FACSIMILE, E-MAIL
AND FIRST CLASS MAIL**

Hon. Kathryn A. Logan
Administrative Law Judge
Oregon Public Utility Commission
550 Capitol Street NE
Salem OR 97310

Re: UM 1121 – Application of Oregon Electric Utility Company for Authorization
to Acquire Portland General Electric Company
In Camera Review of Disputed Materials

Dear Judge Logan:

This letter is in regard to the Stipulation entered into between the Industrial Customers of Northwest Utilities (“ICNU”) and Portland General Electric Company (“PGE”) regarding the resolution of certain issues related to the Company’s response to ICNU’s Data Request (“DR”) 5.1.¹ The City of Portland filed a data request for the Company’s response to ICNU’s DR 5.1.²

The City shares ICNU’s concerns about whether PGE has properly designated documents as confidential under the Protective Order, Order No. 04-139 (“Protective Order”). In particular, the City specifically refers to PGE’s designation of the following materials as confidential under the terms of the Protective Order:

- Bates No. PGE 203181
- Bates No. PGE 203194
- Bates No. PGE 203218A

¹ The City received PGE’s brief regarding this dispute after 5:00 pm on Friday, July 2, 2004. An errata addition to the brief was transmitted by e-mail after 6:30 pm on Friday, July 2, 2004.

² On June 15, 2004, the City sent out CoP DR No. 56 seeking copies of “the responses provided to ICNU’s PGE No. 5.1.” PGE renumbered its response as PGE No. 038. The City has attempted to contact PGE’s legal counsel to confer regarding this matter. Given the inability of PGE and ICNU to reach resolution on the same issues, the City is proceeding with filing this request in support of ICNU.



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- Bates No. PGE 203233
- Bates No. PGE 20347 – PGE 20351
- Bates No. PGE 203257 – PGE 203261
- Bates No. PGE 203263 – PGE 203268
- Bates No. PGE 203273 – PGE 203274
- Bates No. PGE 203276 – PGE 203277

Due to the shortness of notice, the City will not be filing any brief but will join with ICNU in its argument of the issues presented.

Please let me know if you have any questions regarding this filing.

Very truly yours,

/s/ Benjamin Walters

Benjamin Walters
Senior Deputy City Attorney

BEW:cj

cc: UM 1121 Service List

CERTIFICATE OF SERVICE

I hereby certify the attached letter dated July 6, 2004 to Kathryn A. Logan was sent to:

HON. KATHRYN A. LOGAN
ADMINISTRATIVE LAW JUDGE
OREGON PUBLIC UTILITY COMMISSION
550 CAPITOL STREET NE
SALEM OR 97310

on July 6, 2004, contained in a sealed envelope, with postage paid, and deposited in the post office at Portland, Oregon. In addition, on July 6, 2004, copies were electronically mailed to the individuals shown to have an e-mail address on the Service List maintained by the Public Utility Commission, or if not by e-mail, then by mailing a correct copy thereof, contained in a sealed envelope, with postage paid, and deposited in the Post Office at Portland, Oregon.

/s/ Benjamin Walters

Benjamin Walters, OSB #85354
Senior Deputy City Attorney
Of Attorneys for City of Portland

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