

Davison Van Cleve PC

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

Suite 2460
1000 SW Broadway
Portland, OR 97205

Matthew W. Perkins

October 18, 2004

Via Facsimile, Electronically, and U.S. Mail

Ms. Annette Taylor
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. Taylor:

Enclosed please find an original and six copies of the Motion to Admit the
Deposition Transcripts of Peggy Fowler and Kelvin Davis on behalf of the Industrial Customers
of Northwest Utilities in the above-captioned Docket.

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

Sincerely yours,



Matthew Perkins

Enclosures

cc: Service List (via email)

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1121

In the Matter of)	
)	
OREGON ELECTRIC UTILITY)	THE INDUSTRIAL CUSTOMERS OF
COMPANY, LLC, <i>et al.</i> ,)	NORTHWEST UTILITIES' MOTION TO
)	ADMIT TRANSCRIPTS OF THE
Application for Authorization to Acquire)	DEPOSITIONS OF PEGGY FOWLER AND
Portland General Electric Company.)	KELVIN DAVIS
_____)	

INTRODUCTION

Pursuant to OAR § 860-013-0031, the Industrial Customers of Northwest Utilities (“ICNU”) submits this Motion to Admit the Transcripts of the Depositions of Peggy Fowler and Kelvin Davis into the evidentiary record in this proceeding (“Motion”). Ms. Fowler is the President and Chief Executive Officer (“CEO”) of Portland General Electric Company (“PGE” or the “Company”). Ms. Fowler’s deposition was taken on July 12, 2004. Mr. Davis has appeared as a witness in this proceeding on behalf of Oregon Electric Utility Company *et al.* (“Oregon Electric” or the “Applicants”). Mr. Davis’ deposition was taken on July 1, 2004. The deposition transcripts are relevant and non-prejudicial evidence, and ICNU moves that the Administrative Law Judge (“ALJ”) admit the transcripts of these depositions and the accompanying exhibits into the evidentiary record in this proceeding.

Requiring the parties to address, and the ALJ to rule on, every one of the objections put forth by counsel for Oregon Electric and PGE during the depositions is unnecessary and unduly burdensome. ICNU urges the ALJ to admit the deposition transcripts

into evidence and specifically preserve the objections made during the deposition for the purposes of this proceeding and any appeal. Under these circumstances, if any party in this proceeding uses any statement from the deposition to which another party objects, the ALJ and the Commission can take that objection into account in assigning weight to that statement. Furthermore, in the event that the Commission relies on such a statement to formulate a finding of fact, the objecting party has the ability to challenge that finding of fact upon reconsideration or appeal. In the alternative, if the ALJ decides to not admit the deposition transcript and specifically preserve the objections therein, then ICNU urges the ALJ to rule on each of the objections put forth by counsel for Oregon Electric and PGE.

DISCUSSION

OEC § 45.250(1)(b) permits deposition testimony of a party, or any officer of a party, to be used by adverse party “for any purpose” so far as that evidence is admissible. ALJs have the authority to make evidentiary rulings and admit relevant evidence into the evidentiary record of this proceeding. OAR § 860-012-0035(1)(d). Under the Commission rules, relevant evidence:

- (a) Means evidence tending to make the existence of any fact at issue in the proceeding more or less probable than it would be without the evidence;
- (b) Is admissible if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs; and
- (c) May be excluded if the probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or by undue delay.

OAR § 860-014-0045(1). The transcripts and exhibits of Mr. Davis' and Ms. Fowler's depositions are relevant and are the type of evidence that a reasonably prudent person commonly relies upon in the conduct of his or her serious affairs. Furthermore, the probative value of the deposition transcripts is not substantially outweighed by the danger of undue prejudice, confusion of the issues, or by undue delay. In addition, it is simply unnecessary for the ALJ to rule on each and every one of the objections made during the depositions prior to admitting the transcripts into the record, particularly given the expansive and frivolous nature of many of the objections. Under these circumstances, the deposition transcripts should be admitted into the evidentiary record at this time with a specific preservation of the objections of PGE and Oregon Electric.

A. The Transcript of Ms. Fowler's Deposition is Relevant and Admissible Evidence

The deposition transcript reveals that the areas of inquiry in Ms. Fowler's deposition were entirely appropriate and relevant to this proceeding. PGE's objection and effort to force ICNU to jump through certain inapplicable procedural hoops to admit Ms. Fowler's deposition into the record is merely an attempt to achieve indirectly what the Company could not do by its unsuccessful attempt to prevent the deposition in the first place.

1. ICNU Questioned Ms. Fowler about Topics that are Relevant to the Issue of Whether the Proposed Transaction is in the Public Interest

Ms. Fowler's deposition involved topics that are relevant to the issues of whether the proposed acquisition of PGE by Oregon Electric provides a net benefit to PGE customers, whether the proposed transaction is in the public interest, and whether alternatives exist to the proposed acquisition by Texas Pacific Group and Oregon Electric. The original Notice of

Depositions for Ms. Fowler and Mr. Davis stated that “[t]he subject matter of the depositions will be issues raised in the Application and testimony in this Docket regarding the Applicants’ request for approval to acquire Portland General Electric Company.” Re Oregon Electric, OPUC Docket No. UM 1121, Notice of Depositions of Peggy Fowler, Kelvin Davis, and an Individual from Texas Pacific Group (May 13, 2004). In response to a subsequent ruling from ALJ Logan, ICNU clarified the statement in the notice of deposition and identified specific topics about which it intended to question Ms. Fowler. On June 25, 2004, ALJ Logan issued a ruling allowing the deposition to proceed and finding that ICNU had met its burden to demonstrate that “the information it [sought was] relevant, or reasonably calculated to lead to the discovery of admissible information.” Re Oregon Electric, OPUC Docket No. UM 1121, Ruling at 2 (June 25, 2004). Thus, the ALJ already determined that the general areas of inquiry for Ms. Fowler’s deposition are “arguably relevant.” Id. The transcript of Ms. Fowler’s deposition reveals that the issues about which ICNU questioned Ms. Fowler are extremely relevant to this proceeding.

The deposition transcript also reveals that ICNU did not depose Ms. Fowler for the purpose of “annoyance” and that the deposition was not an “unnecessary and undue burden” as PGE had contended in seeking protection of Ms. Fowler. Re Oregon Electric, OPUC Docket No. UM 1121, PGE’s Motion for Protective Order and for Shortened Time for Response at 1, 2 (May 21, 2004). Indeed, of the four hours that the ALJ permitted for the deposition, the deposition lasted approximately two hours. Furthermore, the deposition transcript reveals that PGE did not object to any question on the basis of relevance. Although PGE did object to certain questions as beyond the scope of the issues listed in ICNU’s notice of deposition, the transcript reveals that those questions related to topics listed in the notice and that they are

relevant to the proposed transaction. Attachment 1 to this Motion is a chart that lists the questions to which PGE objected on the basis that those questions were beyond the scope of the deposition, the topic in the notice to which the question relates, and the reason why the question is relevant.

Finally, counsel for PGE argued at the October 15, 2004 status conference that OAR § 860-014-0060(3) required ICNU to designate only certain portions of the deposition transcript to be offered into evidence. This rule states:

When relevant evidence offered by a party is included in a book, paper, or document containing irrelevant material, the party offering the exhibit shall plainly designate the matter offered:

(a) If irrelevant material is included in the exhibit which would encumber the record, the exhibit shall not be received in evidence. The exhibit may be marked for identification, and, if properly authenticated, the relevant matter may be read into the record;

(b) If the Commission or ALJ directs, a copy of the relevant portions of the exhibit may be received as evidence. The offering party shall offer copies of the document to all other parties appearing at the hearing. The parties shall be afforded an opportunity to examine the exhibit and to offer in evidence other portions of the exhibit found to be relevant.

OAR § 860-014-0060(3). These provisions are inapplicable to the deposition transcripts that ICNU offers for admission into the evidentiary record. First, the only issue that this rule addresses is relevant versus irrelevant evidence. Both deposition transcripts are relevant to this proceeding in their entirety and ICNU is offering the entire transcript of each deposition into evidence. As such, ICNU is not required to designate the specific “matter” that is being offered. Second, in the unlikely event that the ALJ determines that some of the questions and answers in the transcripts are irrelevant and that those portions of the transcript would encumber the record,

ICNU is willing to submit the relevant portions into the record. PGE's suggestion to undertake such a task prior to an ALJ ruling on the issue, however, is completely unnecessary for both ICNU and the ALJ.

2. A Reasonably Prudent Person Would Rely Upon Statements by PGE's CEO about the Proposed Transaction

The transcript of Ms. Fowler's deposition provides evidence of PGE's perspective on ownership by the Applicants, changes in PGE under Enron's ownership, and plans for PGE should the proposed transaction not be successful. These issues all relate to whether the proposed transaction is in the public interest. Furthermore, statements by PGE's CEO are evidence of the type that reasonably prudent persons rely upon in the conduct of their serious affairs. OAR § 860-014-0045(1)(b). A reasonably prudent person would rely upon statements of the Company's CEO regarding whether the proposed transaction is in the public interest.

3. No Party is Prejudiced by the Inclusion of the Transcript of the Fowler Deposition in the Evidentiary Record

In addition, no party in this proceeding is prejudiced by the inclusion of Ms. Fowler's deposition transcript in the record, nor will the transcript confuse the issues or cause undue delay. In fact, the transcript of Ms. Fowler's deposition fills an important evidentiary void left by the lack of testimony in this Docket by any PGE employee or representative directly relating to the Company's overall perspective on the proposed transaction. Although certain PGE witnesses have testified in response to specific issues raised by Staff or intervenors, none of those witnesses testify generally about the proposed transaction as Ms. Fowler did in her deposition.

PGE argued at the status conference that the Company would be prejudiced by admission of the deposition transcript because it would have no opportunity to respond to this evidence. PGE's argument lacks merit. First, it is unclear why PGE would need to respond to statements about the proposed transaction made by Ms. Fowler in her deposition. PGE has already reviewed and submitted one correction to the deposition transcript. Second, PGE will have the opportunity for redirect examination if its witnesses are questioned about statements in the transcript. Under these circumstances, PGE will have the opportunity to address questions based on use of the transcript at hearing. As a result, there is no danger of unfair prejudice to PGE. In contrast, however, all customers, including ICNU members, will be prejudiced if the Commission does not have the opportunity to review Ms. Fowler's deposition transcript to discern the views of PGE's CEO on key issues relevant to the proposed transaction.

B. The Davis Deposition Transcript is Relevant and Admissible Evidence

1. Mr. Davis' Deposition Covered Only Topics that are Relevant to the Proposed Transaction

ICNU questioned Mr. Davis only about topics that were relevant to this proceeding. The transcript reveals that counsel for Oregon Electric objected to only two questions asked by ICNU on the basis of relevance or because the question allegedly was beyond the scope of the OPUC proceeding. Davis Tr. 47:9-13; 48:23 - 49:6. Those questions related to: 1) an article published in the Oregonian on the day of Mr. Davis' deposition in which Texas Pacific Group founding partner David Bonderman called the City of Portland's proposal to acquire PGE a "sham"; and 2) Mr. Davis' thoughts about the City's proposal to acquire PGE. Id. As described above, alternative ownership scenarios are relevant to this proceeding because

Oregon Electric has asserted that the removal of PGE from Enron ownership is one of the benefits of the proposed transaction. In short, the questions and statements in Mr. Davis' deposition transcript are relevant to the issue of whether ownership of PGE by Oregon Electric is in the public interest.

2. A Reasonably Prudent Person Would Rely Upon Statements of a Deponent Made Under Oath

Mr. Davis' statements during the deposition are of the kind that a reasonably prudent person would rely upon in the conduct of their affairs. Mr. Davis was under oath at the time of his deposition and has appeared as a witness in this proceeding for the Applicants. It is reasonable to conclude that statements made by a deponent under these circumstances can be relied upon.

3. No Party is Prejudiced by Including the Davis Deposition Transcript in the Evidentiary Record

Finally, the probative value of the deposition transcript is not outweighed by the danger of prejudice to a party, confusion of the issues, or undue delay. As described above, Oregon Electric is not prejudiced by admission of the transcript into the evidentiary record. The transcript merely contains statements by Mr. Davis regarding the proposed transaction. This is not the type of evidence to which Oregon Electric or any other party needs to "respond." Furthermore, if the ALJ preserves the objections made by counsel for Oregon Electric during the deposition, then Oregon Electric maintains the right to challenge any use of the deposition transcript in the future. Under these circumstances, there is no basis to exclude the transcript of Mr. Davis' deposition from the evidentiary record.

C. Ruling on Every One of the Objections Made During the Depositions is Unnecessary and Unduly Burdensome

Counsel for Oregon Electric suggested at the October 15, 2004 status conference that the ALJ should rule on each of the objections made during the deposition prior to admitting the deposition transcript into evidence. This approach is unnecessary and unduly burdensome. ICNU recently admitted the transcript of the deposition of PacifiCorp witness Andrea Kelly into the evidentiary record in a rate case pending before the Washington Utilities and Transportation Commission in Docket UE-032065. The ALJ in that proceeding did not rule on each and every objection in the deposition transcript prior to admitting the transcript into the evidentiary record. Instead, the parties understood that the objections made during the deposition had been preserved.

ICNU urges the ALJ to admit the deposition transcripts in their entirety into the record at this time but specifically preserve the objections asserted by counsel for PGE and Oregon Electric during the deposition. If any party makes use of a statement from the deposition transcript to which PGE or Oregon Electric objects, the ALJ and the Commission can take into account the objection in assigning any weight to that particular statement. In addition, to the extent that any statement to which PGE or Oregon Electric objects is used by the Commission for any factual findings in this proceeding, the objections asserted during the deposition will be preserved for the purposes of appeal. Under these circumstances, PGE's and Oregon Electric's rights are protected without requiring the parties and the ALJ to address the numerous objections made during the depositions.

ICNU does not believe that ruling on all of the objections made during the deposition is necessary prior to admitting the deposition transcript into evidence, especially considering that, as the deposition transcript reveals, a substantial number of the objections made during each deposition were frivolous. Nevertheless, if PGE and Oregon Electric are unwilling to agree to the approach described above, ICNU recommends that the ALJ rule on each of the objections put forth by PGE and Oregon Electric in both deposition transcripts.

CONCLUSION

The transcript of the depositions of Peggy Fowler and Kelvin Davis are relevant evidence that is appropriate for admission into the evidentiary record in this proceeding. The transcripts reveal that the deponents were questioned about topics that are relevant to the ultimate issue in this proceeding: whether ownership of PGE by Oregon Electric is in the public interest. The deposition transcripts are reliable and probative evidence and Oregon Electric and PGE will not be prejudiced by the inclusion of this evidence in the record.

ICNU requests the opportunity to respond to the answers of PGE and the Applicants to this Motion to the extent that additional objections may be raised.

///

///

///

WHEREFORE, ICNU requests that the ALJ grant this Motion to admit the transcripts of the depositions of Peggy Fowler and Kelvin Davis into the evidentiary record.

Dated this 18th day of October, 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 1
Fowler Deposition –Scope of the Deposition Objections

Transcript Cite	Question	<ul style="list-style-type: none"> • Topic Listed in Notice of Deposition • Relevance
Tr. 13:16	Do you believe that a golden-share approach should also be adopted?	<ul style="list-style-type: none"> • Effectiveness of Enron merger conditions • Applicants have proposed ring-fencing conditions in this proceeding
Tr. 15:12	Can I conclude from your answer that PGE does not have any long-term plans other than your IRP or something of that nature?	<ul style="list-style-type: none"> • Plans for PGE should the transaction not be successful • Risk of short-term ownership by OEUC conflicting with long-term planning
Tr. 25:20	And what is your reaction to [the City of Portland’s June 23, 2004] letter to the Commission?	<ul style="list-style-type: none"> • Alternatives to the proposed transaction • The letter discusses the benefits of public ownership
Tr. 27:13	Are there any discussions with Scottish Power as it relates to the ownership of PGE?	<ul style="list-style-type: none"> • Alternatives to the proposed transaction • Parties have raised the issue of the sale of PGE at the end of OEUC ownership
Tr. 34:6	What are the employees’ opinion of the proposed TPG acquisition?	<ul style="list-style-type: none"> • Whether PGE will benefit from ownership by the Applicants • Service quality and reliability is dependent on PGE employees
Tr. 41:24	Have you had any discussions with the individuals at TPG involved in the transaction with regard to rate credits to customers?	<ul style="list-style-type: none"> • Benefits of the proposed transaction • The amount of the rate credit is an issue in this proceeding
Tr. 43:8	Do you believe that TPG should offer customers rate credits?	<ul style="list-style-type: none"> • Benefits of the proposed transaction • The amount of the rate credit is an issue in this proceeding
Tr. 45:3	Do you believe that all stake holders would have been better off if the OPUC had denied Enron's Application?	<ul style="list-style-type: none"> • The situation PGE currently is facing under Enron’s ownership • Applicants have asserted removal from Enron control as a benefit

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Motion to Admit Deposition Transcripts of Peggy Fowler and Kelvin Davis on behalf of the Industrial Customers of Northwest Utilities 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 18th day of October, 2004.


 Matthew Perkins

JIM ABRAHAMSON -- CONFIDENTIAL 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	JEANNE L ARANA OREGON HOUSING AND COMMUNITY SERVICES DEPT PO BOX 14508 SALEM OR 97301 jeanne.arana@hcs.state.or.us
KEN BEESON -- CONFIDENTIAL EUGENE WATER & ELECTRIC BOARD 500 EAST FOURTH AVENUE EUGENE OR 97440-2148 ken.beeson@eweb.eugene.or.us	JULIE BRANDIS -- CONFIDENTIAL 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 -- CONFIDENTIAL CABLE HUSTON BENEDICT ET AL 1001 SW 5TH AVE STE 2000 PORTLAND OR 97204-1136 lcable@chbh.com
D. KEVIN CARLSON DEPT OF JUSTICE - GENERAL COUNSEL DIVISION 1162 COURT ST NE SALEM OR 97301-4096 d.carlson@doj.state.or.us	MICHAEL CARUSO 176 SW HEMLOCK DUNDEE OR 97115 carusodad@hotmail.com

JENNIFER CHAMBERLIN -- CONFIDENTIAL 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
JOAN COTE -- CONFIDENTIAL OREGON ENERGY COORDINATORS ASSOCIATION 2585 STATE ST NE SALEM OR 97301 cotej@mwvcaa.org	CHRIS CREAN -- CONFIDENTIAL MULTNOMAH COUNTY 501 SE HAWTHORNE, SUITE 500 PORTLAND OR 97214 christopher.d.crean@co.multnomah.or.us
MELINDA J DAVISON -- CONFIDENTIAL DAVISON VAN CLEVE PC 1000 SW BROADWAY STE 2460 PORTLAND OR 97205 mail@dvclaw.com	JIM DEASON CABLE HUSTON BENEDICT HAAGENSEN & LLOYD LLP 1001 SW FIFTH AVE STE 2000 PORTLAND OR 97204-1136 jdeason@chbh.com
JAMES DITTMER -- CONFIDENTIAL UTILITECH INC 740 NW BLUE PKWY STE 204 LEE'S SUMMIT MO 64086 jdittmer@utilitech.net	J JEFFREY DUDLEY -- CONFIDENTIAL PORTLAND GENERAL ELECTRIC 121 SW SALMON ST 1WTC1301 PORTLAND OR 97204 jay.dudley@pgn.com
GARY DUELL -- CONFIDENTIAL 11301 SE CHARVIEW COURT CLACKAMAS, OR OR 97015 gduell@bigplanet.com	JASON EISDORFER -- CONFIDENTIAL CITIZENS' UTILITY BOARD OF OREGON 610 SW BROADWAY STE 308 PORTLAND OR 97205 jason@oregoncub.org
JAMES F FELL -- CONFIDENTIAL STOEL RIVES LLP 900 SW 5TH AVE STE 2600 PORTLAND OR 97204-1268 jffell@stoel.com	ANN L FISHER -- CONFIDENTIAL AF LEGAL & CONSULTING SERVICES 1425 SW 20TH STE 202 PORTLAND OR 97201 energlaw@aol.com
ANDREA FOGUE LEAGUE OF OREGON CITIES PO BOX 928 1201 COURT ST NE STE 200 SALEM OR 97308 afogue@orcities.org	SCOTT FORRESTER FRIENDS OF THE CLACKAMAS RIVER 2030 NW 7TH PL GRESHAM OR 97030 clackamas9@aol.com
KATHERINE FUTORNICK 14800 NE BLUEBIRD HILL LANE DAYTON OR 97114 futork@onlinemac.com	LORA GARLAND L-7 BONNEVILLE POWER ADMINISTRATION P.O. BOX 3621 PORTLAND OR 97208-3621 lmgarland@bpa.gov
LEONARD GIRARD 2169 SW KINGS COURT PORTLAND OR 97205 lgirard@teleport.com	ANN ENGLISH GRAVATT -- CONFIDENTIAL RENEWABLE NORTHWEST PROJECT 917 SW OAK - STE 303 PORTLAND OR 97205 ann@rnp.org

PATRICK G HAGER -- CONFIDENTIAL PORTLAND GENERAL ELECTRIC 121 SW SALMON ST 1WTC0702 PORTLAND OR 97204 patrick.hager@pgn.com	ROY HENDERSON PENSION ENHANCEMENT COMMITTEE 895 NW DALE AVENUE PORTLAND OR 97229 royhensn@msn.com
MARY ANN HUTTON -- CONFIDENTIAL CANON AND HUTTON SOUTHERN OREGON OFFICE 1141 NW KRING ST ROSEBURG OR 97470 mah@canonandhutton.com	JOE JANSSENS PGE PENSION ENHANCEMENT COMMITTEE 24495 BUTTEVILLE RD NE AURORA OR 97002 osprey64@juno.com
VALARIE KOSS COLUMBIA RIVER PUD PO BOX 1193 SAINT HELENS OR 97051 vkoss@crpud.org	GEOFFREY M KRONICK LC7 -- CONFIDENTIAL BONNEVILLE POWER ADMINISTRATION PO BOX 3621 PORTLAND OR 97208-3621 gmkronick@bpa.gov
MICHAEL L KURTZ BOEHM, KURTZ & LOWRY 36 E 7TH ST STE 2110 CINCINNATI OH 45202 mkurtzlaw@aol.com	ROCHELLE LESSNER -- CONFIDENTIAL LANE, POWELL, SPEARS, LUBERSKY LLP 601 SW 2ND AVE. STE. 2100 PORTLAND OR 97204 lessnerr@lanepowell.com
KEN LEWIS -- CONFIDENTIAL 2880 NW ARIEL TERRACE PORTLAND OR 97210 kl04@mailstation.com	STEVEN G LINS GLENDALE, CITY OF 613 E BROADWAY STE 220 GLENDALE CA 91206-4394 slins@ci.glendale.ca.us
JAMES MANION -- CONFIDENTIAL WARM SPRINGS POWER ENTERPRISES PO BOX 960 WARM SPRINGS OR 97761 j_manion@wspower.com	LLOYD K MARBET DON'T WASTE OREGON 19142 S BAKERS FERRY RD BORING OR 97009 marbet@mail.com
GORDON MCDONALD PACIFIC POWER & LIGHT 825 NE MULTNOMAH STE 800 PORTLAND OR 97232 gordon.mcdonald@pacificcorp.com	DANIEL W MEEK -- CONFIDENTIAL DANIEL W MEEK ATTORNEY AT LAW 10949 SW 4TH AVE PORTLAND OR 97219 dan@meek.net
THAD MILLER -- CONFIDENTIAL OREGON ELECTRIC UTILITY COMPANY 222 SW COLUMBIA STREET, SUITE 1850 PORTLAND OR 97201-6618 tmiller6@optonline.com	WILLIAM MILLER IBEW 17200 NE SACRAMENTO PORTLAND OR 97230 bill@ibew125.com
CHRISTY MONSON LEAGUE OF OREGON CITIES 1201 COURT ST. NE STE. 200 SALEM OR 97301 cmonson@orcities.org	MICHAEL MORGAN -- CONFIDENTIAL TONKON TORP LLP 888 SW 5TH AVE STE 1600 PORTLAND OR 97204-2099 mike@tonkon.com
FRANK NELSON 543 WILLAMETTE CT MCMINNVILLE OR 97128 fnelson@viclink.com	NANCY NEWELL 3917 NE SKIDMORE PORTLAND OR 97211 ogec2@hotmail.com

<p>JAMES NOTEBOOM -- CONFIDENTIAL KARNOPP PETERSEN NOTEBOOM ET AL 1201 NW WALL ST STE 300 BEND OR 97701 jdn@karnopp.com</p>	<p>LISA F RACKNER -- CONFIDENTIAL ATER WYNNE LLP 222 SW COLUMBIA ST STE 1800 PORTLAND OR 97201-6618 lfr@aterwynne.com</p>
<p>DONALD W SCHOENBECK -- CONFIDENTIAL REGULATORY & COGENERATION SERVICES INC 900 WASHINGTON ST STE 780 VANCOUVER WA 98660-3455 dws@r-c-s-inc.com</p>	<p>REBECCA SHERMAN -- CONFIDENTIAL HYDROPOWER REFORM COALITION 320 SW STARK STREET, SUITE 429 PORTLAND OR 97204 northwest@hydroreform.org</p>
<p>JOHN W STEPHENS -- CONFIDENTIAL ESLER STEPHENS & BUCKLEY 888 SW FIFTH AVE STE 700 PORTLAND OR 97204-2021 stephens@eslerstephens.com</p>	<p>BRETT SWIFT -- CONFIDENTIAL AMERICAN RIVERS 320 SW STARK ST, SUITE 418 PORTLAND OR 97204 bswift@amrivers.org</p>
<p>MITCHELL TAYLOR -- CONFIDENTIAL 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 -- CONFIDENTIAL DAVISON VAN CLEVE PC 1000 SW BROADWAY STE 2460 PORTLAND OR 97205 mail@dvclaw.com</p>	<p>BENJAMIN WALTERS -- CONFIDENTIAL CITY OF PORTAND - OFFICE OF CITY ATTORNEY 1221 SW 4TH AVE - RM 430 PORTLAND OR 97204 bwalters@ci.portland.or.us</p>
<p>MICHAEL T WEIRICH -- CONFIDENTIAL 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 -- CONFIDENTIAL KAFOURY & MCDUGAL 10266 SW LANCASTER RD PORTLAND OR 97219-6305 linda@lindawilliams.net</p>	