

1 **BEFORE THE PUBLIC UTILITY COMMISSION**

2 OF OREGON

3 UM1121

<p>4 In the Matter of</p> <p>5 OREGON ELECTRIC UTILITY COMPANY,</p> <p>6 LLC, et al.</p>	<p>MOTION TO INTERVENE OUT OF TIME</p>
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8 The Oregon Department of Housing and Community Services (OHCS) hereby moves for

9 permission to intervene out of time. OHCS’s Petition to Intervene is attached to this Motion.

10 The attorney for the OHCS failed submit OHCS’s Petition to Intervene by the March 16, 2004

11 deadline because it had not received notice of the Motion of Multnomah County prior to the

12 filing deadline.

13 Granting this Petition for late intervention will not unreasonably delay the proceeding nor

14 prejudice the rights of other parties to the proceeding.

15 OHCS makes this Motion in order to carry out its statutory mandate as the administrator

16 of the State’s low-income energy assistance programs. OHCS is statutorily charged, under ORS

17 456.559(1)(f), with

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19 “* * * being the central state department to apply for, receive and distribute, on behalf of

20 appropriate state agencies, governmental bodies and public or private housing sponsors in

21 the state, grants, gifts, contributions, loans credits or assistance from the federal

government or any other source for housing programs except when the donor, grantor, or

lender of such funds specifically directs some other agency to administer them.”¹

22 In addition, ORS 458.505 provides in pertinent part that

23 “(1) The community action agency network, established initially under the federal

24 Ecomnomic Oppportunity Act of 1964, shall be the delivery system for federal antipoverty

25 programs in Oregon, including the Community Services Block Grant, Low Income

26 Energy Assistance Program, Office of Energy Weatherization Program and such others as

may become available.

¹ ORS 456.559(1)(f).

1 (2) Funds for such programs *shall be distributed to the community action agencies by*
2 *the Housing and Community Services Department* with the advice of the Community
3 Action Directors of Oregon.”²

4 For the foregoing reasons, the Oregon Department of Housing and Community Services
5 respectfully requests that the Commission exercise its discretion to grant OHCS’s Motion to
6 Intervene Out of Time. Because of the expertise of OHCS, it can assist the Commission as to the
7 facts, understanding and analysis of the issues. Further, OHCS is prepared to file its testimony
8 within the time period set by the Commission.

9 DATED this _____ day of August 2004.

10 Respectfully submitted,

11 **HARDY MYERS**
12 Attorney General

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14 **Lynn T. Nagasako, #78119**
15 **Assistant Attorney General**
16 Of Attorneys for Oregon Dept. of Housing and
17 Community Services,
18 State of Oregon, Petitioner

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26 _____
² ORS 458.505 (emphasis added).

CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of August 2004, I served the within **MOTION TO INTERVENE OUT OF TIME** upon known parties to this litigation, by depositing in the United States Post Office at Salem, Oregon, a full, true and correct copy thereof , postage prepaid, and addressed to:

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@aioi.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
JOAN COTE OREGON ENERGY COORDINATORS ASSOCIATION 2585 STATE ST NE SALEM OR 97301 cotej@mwwcaa.org	CHRIS CREAN MULTNOMAH COUNTY 501 SE HAWTHORNE, SUITE 500 PORTLAND OR 97214 christopher.d.crean@co.multnomah.or.us
MELINDA J DAVISON DAVISON VAN CLEVE PC 1000 SW BROADWAY STE 2460 PORTLAND OR 97205	JIM DEASON CABLE HUSTON BENEDICT HAAGENSEN & LLOYD LLP 1001 SW FIFTH AVE STE 2000

1	PORTLAND OR 97205 mail@dvclaw.com	1001 SW FIFTH AVE STE 2000 PORTLAND OR 97204-1136 jdeason@chbh.com
2		
3	JAMES DITTMER UTILITECH INC 740 NW BLUE PKWY STE 204 LEE'S SUMMIT MO 64086 jdittmer@utilitech.net	J JEFFREY DUDLEY PORTLAND GENERAL ELECTRIC 121 SW SALMON ST 1WTC1301 PORTLAND OR 97204 jay_dudley@pgn.com
4		
5		
6	GARY DUELL 11301 SE CHARVIEW COURT CLACKAMAS, OR OR 97015 gduell@bigplanet.com	JASON EISDORFER CITIZENS' UTILITY BOARD OF OREGON 610 SW BROADWAY STE 308 PORTLAND OR 97205 jason@oregoncub.org
7		
8		
9	JAMES F FELL STOEL RIVES LLP 900 SW 5TH AVE STE 2600 PORTLAND OR 97204-1268 jffell@stoel.com	ANN L FISHER AF LEGAL & CONSULTING SERVICES 1425 SW 20TH STE 202 PORTLAND OR 97201 energlaw@aol.com
10		
11		
12	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
13		
14		
15		
16	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
17		
18		
19	LEONARD GIRARD 2169 SW KINGS COURT PORTLAND OR 97205 lgirard@teleport.com	ANN ENGLISH GRAVATT RENEWABLE NORTHWEST PROJECT 917 SW OAK - STE 303 PORTLAND OR 97205 ann@rnp.org
20		
21		
22	PATRICK G HAGER 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
23		
24		
25	MARY ANN HUTTON CANON AND HUTTON 9999 NE WORDEN HILL RD DUNDEE OR 97115-9147 mah@canonandhutton.com	JOE JANSSENS PGE PENSION ENHANCEMENT COMMITTEE 24495 BUTTEVILLE RD NE AURORA OR 97002 jjanssens@pge.com
26		

1	mah@canonandhutton.com	osprey64@juno.com
2	VALARIE KOSS	GEOFFREY M KRONICK LC7
3	COLUMBIA RIVER PUD	BONNEVILLE POWER ADMINISTRATION
4	PO BOX 1193	PO BOX 3621
5	SAINT HELENS OR 97051	PORTLAND OR 97208-3621
6	vkoss@crpud.org	gmkronick@bpa.gov
7	MICHAEL L KURTZ	ROCHELLE LESSNER
8	BOEHM, KURTZ & LOWRY	LANE, POWELL, SPEARS, LUBERSKY LLP
9	36 E 7TH ST STE 2110	601 SW 2ND AVE. STE. 2100
10	CINCINNATI OH 45202	PORTLAND OR 97204
11	mkurtzlaw@aol.com	lessnerr@lanepowell.com
12	KEN LEWIS	STEVEN G LINS
13	2880 NW ARIEL TERRACE	GLENDALE, CITY OF
14	PORTLAND OR 97210	613 E BROADWAY STE 220
15	kl04@mailstation.com	GLENDALE CA 91206-4394
16	JAMES MANION	LLOYD K MARBET
17	WARM SPRINGS POWER ENTERPRISES	DON'T WASTE OREGON
18	PO BOX 960	19142 S BAKERS FERRY RD
19	WARM SPRINGS OR 97761	BORING OR 97009
20	j_manion@wspower.com	marbet@mail.com
21	GORDON MCDONALD	DANIEL W MEEK
22	PACIFIC POWER & LIGHT	DANIEL W MEEK ATTORNEY AT LAW
23	825 NE MULTNOMAH STE 800	10949 SW 4TH AVE
24	PORTLAND OR 97232	PORTLAND OR 97219
25	gordon.mcdonald@pacificcorp.com	dan@meek.net
26	THAD MILLER	WILLIAM MILLER
27	OREGON ELECTRIC UTILITY COMPANY	IBEW
28	222 SW COLUMBIA STREET, SUITE 1850	17200 NE SACRAMENTO
29	PORTLAND OR 97201-6618	PORTLAND OR 97230
30	tmiller6@optonline.com	bill@ibew125.com
31	CHRISTY MONSON	MICHAEL MORGAN
32	LEAGUE OF OREGON CITIES	TONKON TORP LLP
33	1201 COURT ST. NE STE. 200	888 SW 5TH AVE STE 1600
34	SALEM OR 97301	PORTLAND OR 97204-2099
35	cmonson@orcities.org	mike@tonkon.com
36	FRANK NELSON	NANCY NEWELL
37	543 WILLAMETTE CT	3917 NE SKIDMORE
38	MCMINNVILLE OR 97128	PORTLAND OR 97211
39	frankn@willamette.com	newelln@comcast.net

1	JAMES NOTEBOOM KARNOPP PETERSEN NOTEBOOM ET AL 1201 NW WALL ST STE 300 BEND OR 97701 jdn@karnopp.com	LISA F RACKNER ATER WYNNE LLP 222 SW COLUMBIA ST STE 1800 PORTLAND OR 97201-6618 lfr@aterwynne.com
4	DONALD W SCHOENBECK REGULATORY & COGENERATION SERVICES INC 900 WASHINGTON ST STE 780 VANCOUVER WA 98660-3455 dws@r-c-s-inc.com	REBECCA SHERMAN HYDROPOWER REFORM COALITION 320 SW STARK STREET, SUITE 429 PORTLAND OR 97204 northwest@hydroreform.org
7	JOHN W STEPHENS ESLER STEPHENS & BUCKLEY 888 SW FIFTH AVE STE 700 PORTLAND OR 97204-2021 stephens@eslerstephens.com	BRETT SWIFT AMERICAN RIVERS 320 SW STARK ST, SUITE 418 PORTLAND OR 97204 bswift@amrivers.org
10	MITCHELL TAYLOR ENRON CORPORATION PO BOX 1188 1221 LAMAR - STE 1600 HOUSTON TX 77251-1188 mitchell.taylor@enron.com	LAURENCE TUTTLE CENTER FOR ENVIRONMENTAL EQUITY 610 SW ALDER #1021 PORTLAND OR 97205 nevermined@earthlink.net
13	S BRADLEY VAN CLEVE DAVISON VAN CLEVE PC 1000 SW BROADWAY STE 2460 PORTLAND OR 97205 mail@dvclaw.com	BENJAMIN WALTERS CITY OF PORTAND - OFFICE OF CITY ATTORNEY 1221 SW 4TH AVE - RM 430 PORTLAND OR 97204 bwalters@ci.portland.or.us
16	MICHAEL T WEIRICH DEPARTMENT OF JUSTICE 1162 COURT ST NE SALEM OR 97301-4096 michael.weirich@state.or.us	STEVEN WEISS NORTHWEST ENERGY COALITION 4422 OREGON TRAIL CT NE SALEM OR 97305 steve@nwenergy.org
19	ROBIN WHITE PORTLAND BOMA 1211 SW 5TH AVE STE 2722-MEZZANINE PORTLAND OR 97201 rwhite@bigplanet.com	LORNE WHITTLES EPCOR MERCHANT & CAPITAL (US) INC 1161 W RIVER ST STE 250 BOISE ID 83702 lwhittles@epcor.ca
22	LINDA K WILLIAMS KAFOURY & MCDUGAL 10266 SW LANCASTER RD PORTLAND OR 97219-6305 linda@lindawilliams.net	

26

Lynn T. Nagasako, #78119
Of Attorneys for Defendant