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November 21, 2005

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VIA ELECTRONIC FILING

PUC Filing Center
Public Utility Commission of Oregon
PO Box 2148
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**Re: MEHC's and PacifiCorp's Motion to Shorten Response Time to Data Requests
Docket UM 1209**

Enclosed for filing please find MEHC's and PacifiCorp's Motion to Shorten Response Time to Data Requests in the above-referenced docket. A copy of this filing has been served on all parties to this proceeding as indicated on the attached certificate of service.

Very truly yours,

A handwritten signature in black ink, appearing to be "Katherine A. McDowell".

Katherine A. McDowell

KAM:knp
Enclosure
cc: Service List

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 **UM 1209**

4 In the Matter of MIDAMERICAN
5 ENERGY HOLDINGS COMPANY and
6 PACIFICORP Application for
7 Authorization to Acquire Pacific Power &
8 Light, dba PacifiCorp

**MEHC'S AND PACIFICORP'S
MOTION TO SHORTEN RESPONSE
TIME TO DATA REQUESTS
(expedited consideration requested)**

9 Pursuant to OAR 860-013-0031, MidAmerican Energy Holdings Company
10 ("MEHC") and PacifiCorp move the Commission to enter an order shortening the time for
11 replying to data requests for the balance of this proceeding from ten Commission business
12 days to five Commission business days. In support of this Motion, MEHC and PacifiCorp
13 make the following points:

- 14 1. OAR 860-014-0070(1) provides parties ten Commission business days to
15 answer data requests.
- 16 2. Pursuant to the Commission's Order upholding the schedule in this case, as
17 modified, MEHC and PacifiCorp have been responding to data requests under
18 a five business day turnaround time.
- 19 3. In the ALJ's November 10, 2005 Ruling resetting the schedule in this case,
20 the ALJ noted that "parties have always had the option of making a motion for
21 shorter response times to data requests." *Id.* at 2. The November 10 Ruling
22 adopted a testimony and hearing schedule proposed by Commission Staff
23 which included an assumption that a five-day data response turnaround would
24 be applicable at the time of MEHC's and PacifiCorp's surrebuttal
25 testimony filing on January 9, 2006. *See* Staff's Response to Citizens Utility
26 Board of Oregon's Motion to Modify the Schedule at 2, n 2.
4. The schedule now provides for Staff and Intervenor testimony to be filed
today, November 21, 2005, and MEHC's and PacifiCorp's rebuttal testimony

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to be filed December 7, 2005. Under that schedule, a ten-day turnaround for data requests is too long to permit MEHC and PacifiCorp to include data request responses in their rebuttal testimony.

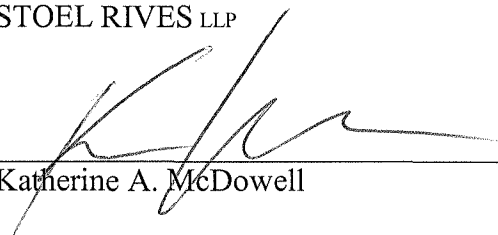
5. The time periods between the rounds of testimony for the balance of the case are similarly truncated. A shortened discovery response period is therefore appropriate for all parties for the balance of the proceeding.

6. As the parties who bear the primary discovery burden in this case, MEHC and PacifiCorp support a shortened discovery period. MEHC and PacifiCorp should have the benefit of reciprocal treatment on this issue, especially given the number of parties and issues to which they must respond in rebuttal and sursurrebuttal testimony.

WHEREFORE, MEHC and PacifiCorp respectfully request the Commission to order that data requests served in this proceeding on and after November 22, 2005 are to be answered within five Commission business days.

DATED: November 21, 2005.

STOEL RIVES LLP



Katherine A. McDowell

Of Attorneys for MEHC and PacifiCorp

CERTIFICATE OF SERVICE

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2 I hereby certify that I served the foregoing document in Docket UM 1209 on the
3 following named person(s) on the date indicated below by
4 mailing with postage prepaid
5 hand delivery
6 facsimile transmission
7 Electronic mail
8 to said person(s) a true copy thereof, contained in a sealed envelope, addressed to said
9 person(s) at his or her last-known address(es) indicated below.

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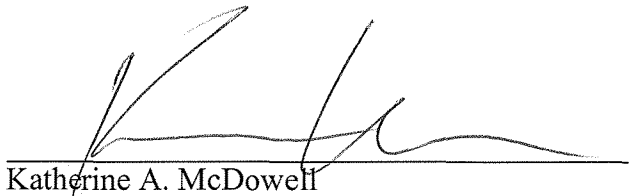
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DATED: November 21, 2005.

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