

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1209

In the Matter of)	
)	
MIDAMERICAN ENERGY HOLDINGS)	
COMPANY)	BENCH REQUEST
)	
Application for Authorization to Acquire)	
Pacific Power & Light, dba PacifiCorp.)	

On December 23, 2005, a Stipulation was submitted by MidAmerican Energy Holdings Company, PacifiCorp, Staff, Citizens’ Utility Board of Oregon, Industrial Customers of Northwest Utilities, Renewable Northwest Project, League of Oregon Cities, Natural Resources Defense Council, Community Action Directors of Oregon and Oregon Energy Coordinators Association, Pacific Coast Federation of Fishermen’s Associations, Sherman County, and the Yurok Tribe. These parties assert, “Given the Commitments agreed to by MEHC and PacifiCorp, the Parties to the Stipulation agree that MEHC has satisfied the ‘net benefits’ standard of ORS 757.511.” See Joint/100, 7:18-19.

After a review of the Stipulation and supporting testimony, the Commission concludes that the benefits of the Application and the provisions that mitigate harms are not clearly articulated. To assist the Commission in its determination of whether the Stipulation and amended Application satisfy the legal requirements set forth in ORS 757.511, the stipulating parties are asked to provide additional information.

Each party that signed the Stipulation is requested to submit a brief, identifying the harms discussed in its opening comments and testimony, and the mitigating measures in the Stipulation that eliminate or reduce those harms. Further, each party should clearly delineate the benefits contained in the Stipulation that are within the Commission’s jurisdiction, are not intended to mitigate harms, and are not otherwise required by law now or in the future. Finally, each party should indicate, to the extent possible, the magnitude of the benefits and any remaining harms, and the basis for concluding that the Application meets the public interest standard set out in ORS 757.511. Briefs are due February 6, 2006.

Dated at Salem, Oregon, this 18th day of January, 2006.

Lee Beyer
Chairman

John Savage
Commissioner

Ray Baum
Commissioner