

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UE 180

In the Matter of	)	
	)	
PORTLAND GENERAL ELECTRIC	)	
COMPANY	)	RULING
	)	
Request for a General Rate Revision.	)	

**DISPOSITION: DEADLINE FOR RESPONSES ESTABLISHED**

On February 12, 2007, Commission Staff (Staff) filed a motion for clarification of Order No. 07-015, in which the Commission approved a new tariff for Portland General Electric Company (PGE), and established a power cost variance mechanism (PCVM). That motion sought clarification that the deadband for the PCVM should be calculated on a pre-tax basis. Specifically, Staff sought an order clarifying that “PGE’s proposed deadband values must be grossed-up for State and Federal taxes and other revenue sensitive costs.” Staff motion, 2 (Feb 12, 2007).

On February 21, 2007, PGE filed a response. In its response, PGE states that it and Staff “now agree that the appropriate gross-up factor is derived from the combined State and Federal tax rate used in determining rates in this docket, and not other revenue sensitive costs.” PGE response, 3 (Feb 21, 2007). PGE then sets out a spreadsheet and “requests that the Commission confirm that these are the power cost deadbands it determined as appropriate for use in the Annual Power Cost Variance Mechanism.”<sup>1</sup> *Id.*

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<sup>1</sup> PGE also “reserves the right to file a motion for reconsideration regarding other issues surrounding the power cost deadband that have not been raised by Staff’s motion.” *See* PGE response, 3 n 1 (Feb 21, 2007). It is unclear whether PGE seeks to file a motion for reconsideration as to Order No. 07-015, or the disposition of Staff’s motion. A motion for reconsideration can only be made based on the factors set forth in OAR 860-014-0095(3).

The administrative rules governing Commission procedure generally provide for a motion and a response. *See* OAR 860-013-0050. PGE's response effectively makes a new motion, by requesting Commission confirmation of its deadband calculation.<sup>2</sup> To fully inform the Commission's decision on the matter, responses from Staff and the other parties in the case are required. In keeping with OAR 860-013-0050(3)(d), responses to PGE's "motion" should be submitted by March 8, 2007.

Dated at Salem, Oregon, this 21st day of February, 2007.

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Christina M. Hayes  
Administrative Law Judge

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<sup>2</sup> If Staff and PGE have truly reached an accord on the issue raised for clarification, Staff could also signal its agreement by withdrawing its motion for clarification.