

**PUBLIC UTILITY COMMISSION OF OREGON
MEMORANDUM**

DATE; January 15, 2009

TO; Administrative Hearings Division

From; Judy Johnson 

SUBJECT: AR 532 - Staff Initial Comments on Deleting the Sunset Provision in OAR 860-022-0070.

Staff recommends that in addition to deleting Section 7 of OAR 860-022-0070, the current Section 8 should be deleted as well. Section 8 deals with the fall earnings reviews of the natural gas companies. Cascade Natural Gas has pointed out that in Order No. 08-504 on page 17, the Commission states: "In their Stipulation the Joint Parties address the earnings review procedure that is performed pursuant to OAR 860-022-0070. While the details of their proposal are moot, we do adopt their provision for the elimination of the fall earnings review as well as for the removal of the sunset provision for the spring earnings review. We will convene a rulemaking proceeding to make the necessary changes to the rule." Staff believes that the Commission intended for Section 8 of OAR 860-022-0070 to be deleted as well as Section 7. Staff has contacted all other parties in Docket UM 1286 and there is agreement that Section 8 should be removed from the rule.

CERTIFICATE OF SERVICE

AR 532

I certify that I have this day served the foregoing document upon all parties of record in this proceeding by delivering a copy in person or by mailing a copy properly addressed with first class postage prepaid, or by electronic mail pursuant to OAR 860-13-0070, to the following parties or attorneys of parties.

Dated at Salem, Oregon, this 15th day of January, 2009.

Kay Barnes

Kay Barnes
Public Utility Commission
Regulatory Operations
550 Capitol St NE Ste 215
Salem, Oregon 97301-2551
Telephone: (503) 378-5763

JAY BRZEZANSKI
COOPERATIVE COMMUNICATIONS INC
210 CLAY AVE
LYNDHURST NJ 07071

DANIEL S KUNTZ
MDU RESOURCES GROUP, INC.
PO BOX 5650
BISMARCK ND 58506-5650

DOUGLAS L ANDERSON
CALENERGY COMPANY
1111 S 103RD ST
OMAHA NE 68124-1072

RIC GALE
IDAHO POWER COMPANY
PO BOX 70
BOISE ID 83707

JOHN R GALE
IDAHO POWER COMPANY
PO BOX 70
BOISE ID 83707-0070

JANE HARRISON
NORTHWEST PIPELINE GP
295 CHIPETA WAY
SALT LAKE CITY UT 84158

AMY HARWARD
NORTHWEST PIPELINE GP
295 CHIPETA WAY
SALT LAKE CITY UT 84158

RENEE WILLER
VERIZON NORTHWEST INC
20575 NW VON NEUMANN DR STE 150 MC OR030156
HILLSBORO OR 97006

KAREN MANSKE
NEXTEL COMMUNICATIONS
8405-B SW NIMBUS
BEAVERTON OR 97008

R ERICK JOHNSON
R ERICK JOHNSON PC
5285 SW MEADOWS RD - STE 230
LAKE OSWEGO OR 97035

MIKE B KATZ
6 MONTICELLO DR
LAKE OSWEGO OR 97035

PAULA E PYRON
NORTHWEST INDUSTRIAL GAS USERS
4113 WOLF BERRY CT
LAKE OSWEGO OR 97035-1827

JOHN BRENNEMAN
GOVERNMENT RELATIONS COUNSEL
8031 SW SACAJAWEA WAY
WILSONVILLE OR 97070-6428

ROGER GRAHN
RP GRAHN INC
23287 LA SALLE
SHERWOOD OR 97140

LEEANN BLEAKNEY
NORTHWEST POWER PLANNING COUNCIL
851 SW 6TH AVE - STE 1020
PORTLAND OR 97204

MELINDA J DAVISON
DAVISON VAN CLEVE PC
333 SW TAYLOR - STE 400
PORTLAND OR 97204

LAUNA HARMON
PORTLAND GENERAL ELECTRIC
121 SW SALMON ST
PORTLAND OR 97204

MARY BETH HENRY
PORTLAND CITY OF
1120 SW 5TH RM 1305
PORTLAND OR 97204

HONG HUYNH
MILLER NASH LLP
111 SW FIFTH AVE, SUITE 3400
PORTLAND OR 97204

KATHERINE A MCDOWELL
MCDOWELL & RACKNER PC
520 SW SIXTH AVE - SUITE 830
PORTLAND OR 97204

WENDY MCINDOO
MCDOWELL & RACKNER PC
520 SW 6TH AVE STE 830
PORTLAND OR 97204

LISA F RACKNER
MCDOWELL & RACKNER PC
520 SW SIXTH AVENUE STE 830
PORTLAND OR 97204

CHAD M STOKES
CABLE HUSTON BENEDICT HAAGENSEN & LLOYD LLP
1001 SW 5TH - STE 2000
PORTLAND OR 97204

BENJAMIN WALTERS
PORTLAND CITY OF - OFFICE OF CITY ATTORNEY
1221 SW 4TH AVE - RM 430
PORTLAND OR 97204

MARY WIDMAN
PORTLAND GENERAL ELECTRIC
121 SW SALMON ST
PORTLAND OR 97204

TOMMY A BROOKS
CABLE HUSTON BENEDICT, ET AL
1001 SW FIFTH AVE, STE 2000
PORTLAND OR 97204-1136

STEPHEN C HALL
STOEL RIVES LLP
900 SW FIFTH AVE - STE 2600
PORTLAND OR 97204-1268

JOHN W STEPHENS
ESLER STEPHENS & BUCKLEY
888 SW FIFTH AVE STE 700
PORTLAND OR 97204-2021

MICHAEL M MORGAN
TONKON TORP LLP
888 SW 5TH AVE STE 1600
PORTLAND OR 97204-2099

BRIAN DOHERTY
MILLER NASH ET AL
111 SW 5TH STE 3300
PORTLAND OR 97204-3699

OPUC DOCKETS
CITIZENS' UTILITY BOARD OF OREGON
610 SW BROADWAY STE 308
PORTLAND OR 97205

ROBERT JENKS
CITIZENS' UTILITY BOARD OF OREGON
610 SW BROADWAY STE 308
PORTLAND OR 97205

GARY OXLEY
OXLEY & ASSOCIATES
833 SW 11TH STE 317
PORTLAND OR 97205

JEFF BISSONNETTE
CITIZENS' UTILITY BOARD OF OREGON
610 SW BROADWAY STE 308
PORTLAND OR 97205-3404

EDWARD A FINKLEA
ENERGY ACTION NORTHWEST
PO BOX 8308
PORTLAND OR 97207

RATES & REGULATORY AFFAIRS
NORTHWEST NATURAL
220 NW 2ND AVE
PORTLAND OR 97209

DAVID H ANDERSON
NORTHWEST NATURAL
220 NW 2ND AVE
PORTLAND OR 97209

JENNIFER GROSS
RATES & REGULATORY AFFAIRS - NW NATURAL
220 NW 2ND AVENUE
PORTLAND OR 97209

GAYLE PATTERSON
NORTHWEST NATURAL
220 NW 2ND AVE
PORTLAND OR 97209

INARA K SCOTT
NORTHWEST NATURAL
220 NW 2ND AVE
PORTLAND OR 97209

LOIS DOUGLASS
NORTHWEST NATURAL
220 NW 2ND AVENUE
PORTLAND OR 97209-3991

ONITA KING
NORTHWEST NATURAL
220 NW 2ND AVE
PORTLAND OR 97209-3991

ROBERT RENK
NORTHWEST NATURAL
220 NW 2ND AVE
PORTLAND OR 97209-3991

LAWRENCE REICHMAN
PERKINS COIE LLP
1120 NW COUCH ST - 10 FL
PORTLAND OR 97209-4128

AUBREY BALDWIN
PACIFIC ENVIRONMENTAL ADVOCACY CENTER
10015 SW TERWILLIGER BLVD
PORTLAND OR 97219

DANIEL W MEEK
DANIEL W MEEK ATTORNEY AT LAW
10949 SW 4TH AVE
PORTLAND OR 97219

LYNN R LEHRBACH
JOINT COUNCIL OF TEAMSTERS NO 37
1872 NE 162 AVENUE
PORTLAND OR 97230-5642

BILL MILLER
IBEW LOCAL 125
17200 NE SACRAMENTO ST
GRESHAM OR 97230-5940

MICHELLE R MISHOE
PACIFIC POWER & LIGHT
825 NE MULTNOMAH STE 1800
PORTLAND OR 97232

LAURA RAYPUSH
PACIFICORP
825 NE MULTNOMAH, STE 1700
PORTLAND OR 97232

A R MACKEY
12825 SE SCOTT CR LN
PORTLAND OR 97236

ANN L FISHER
AF LEGAL & CONSULTING SERVICES
PO BOX 25302
PORTLAND OR 97298-0302

D PATRICK DODGE
SALEM CITY OF PUBLIC WORKS
555 LIBERTY ST SE RM 325
SALEM OR 97301

KEN ZIMMERMAN
PUBLIC UTILITY COMMISSION OF OREGON
550 CAPITOL ST NE, STE 215
SALEM OR 97301

DAVID HATTON
DEPARTMENT OF JUSTICE
REGULATED UTILITY & BUSINESS SECTION
1162 COURT ST NE
SALEM OR 97301-4096

SANDRA FLICKER
OREGON RURAL ELECTRIC COOPERATIVE ASSN
1750 LIBERTY ST SE
SALEM OR 97302-5159

STEVEN WEISS
NORTHWEST ENERGY COALITION
4422 OREGON TRAIL CT NE
SALEM OR 97305

JAMES D ANDERSON
JD ANDERSON ASSOCIATES INC
910 SAHALEE CT SE
SALEM OR 97306

ANDREA FOGUE
LEAGUE OF OREGON CITIES
PO BOX 928
1201 COURT ST NE STE 200
SALEM OR 97308

TOM O'CONNOR
OREGON MUNICIPAL ELECTRIC UTILITIES ASSOC
PO BOX 928
SALEM OR 97308-0928

MARK NELSON
PUBLIC AFFAIRS COUNSEL
PO BOX 12945
SALEM OR 97309

PERY MURRAY
DEPOE BAY CITY OF
PO BOX 8
DEPOE BAY OR 97341

CHRIS CHANDLER DITORRICE
CENTRAL LINCOLN PUD
PO BOX 1126
NEWPORT OR 97365-0090

SANDRA BISHOP
BISHOP COMMUNICATIONS
392 E 3RD AVE - STE 201
EUGENE OR 97401-4537

RITA J FLECK
1212 NE STEELE CT
ROSEBURG OR 97470

DANNY LANG
DANNY LANG AND ASSOCIATES
PO BOX 459
SUTHERLIN OR 97479

RONALD W JONES
IBEW LOCAL 659
4480 ROGUE VALLEY HWY #3
CENTRAL POINT OR 97502-1695

CHUCK HAYNES
ST CHARLES MEDICAL CENTER
2500 NE NEFF RD
BEND OR 97701-6015

GEORGE HILL
ENTERPRISE CITY OF
108 NE 1ST
ENTERPRISE OR 97828

KATHERINE BARNARD
CASCADE NATURAL GAS
PO BOX 24464
SEATTLE WA 98124

JON T STOLTZ
CASCADE NATURAL GAS
PO BOX 24464
SEATTLE WA 98124

List: **DIANE3 MERGE**

AR 532 MERGE ADMRUGAS, UM 1268

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GENE WAAS
WASHINGTON UTILITIES & TRANSPORTATION
COMMISSION
PO BOX 47250
OLYMPIA WA 98504

JIM RUSSELL
WUTC
PO BOX 47250
OLYMPIA WA 98504-7250

MIKE BROEMELING
AVISTA UTILITIES
1411 E MISSION
SPOKANE WA 99207

DON M FALKNER
AVISTA UTILITIES
PO BOX 3727
SPOKANE WA 99220-3727

LINDA GERVAIS
AVISTA UTILITIES
PO BOX 3727
SPOKANE WA 99220-3727

DAVID J MEYER
AVISTA CORPORATION
PO BOX 3727
SPOKANE WA 99220-3727

KELLY O NORWOOD
AVISTA UTILITIES
PO BOX 3727
SPOKANE WA 99220-3727

Labels: 78

