



**Portland General Electric Company**  
121 SW Salmon Street • Portland, Oregon 97204  
PortlandGeneral.com

**Via Electronic  
and US Mail**

Filing Center  
Oregon Public Utility Commission  
550 Capitol Street NE  
Salem, OR 97301

Re: **UM-1425** Deferral Application

Attn: Ms. Bailey-Goggins:

On March 30, 2009, PGE filed an Application for Deferral of Expenses Associated with an Increase in Annual Land Use Fees imposed by the Federal Energy Regulatory Commission (FERC). PGE and the other members of the Federal Land Group (9 licensees of hydropower projects regulated by FERC) appealed the order authorizing the Land Use Fees increase to FERC. In the absence of FERC action on the Federal Land Group's appeal, the Group filed a request for stay with the D.C. Circuit on April 14, 2009. On April 30, 2009, the D.C. Circuit Court granted an emergency stay, pending FERC's consideration of the Federal Land Group's request for rehearing. On May 13, 2009 in compliance with the D.C. Circuit Court's order, FERC issued revised 'interim' Annual Land Use Fees bills to PGE and other members of the Federal Land Group, but reserved its ability to issue revised bills at the new and significantly higher rates under the challenged new fee schedule.

Although FERC's action on the Federal Land Group's request was on the FERC agenda for July 16, 2009, FERC tabled it to the September 17, 2009 meeting and then took it off the September 17 agenda. On October 30, 2009, FERC denied the request for rehearing and denied the Federal Land Groups' alternative motion to stay. FERC filed its October 30 decision with the D.C. Circuit and advised the Court that it did not intend to file a motion to dissolve the Court's stay at that time but reserved the right to do so in the future.

After discussions with OPUC Staff, PGE has decided to withdraw its application in this docket. It is uncertain if and when the FERC Land Use Fees increase for the 2009 federal fiscal year will be imposed and if it is imposed, whether the increase will be retroactive. Thus, PGE would likely file, if it becomes necessary to file, under a different subsection of ORS 757.259. PGE now requests that this deferral docket (UM-1425) be closed.

Sincerely,

Patrick G. Hager  
Manager, Regulatory Affairs


cc: Doug Kuns  
Doug Tingey  
UM-1425 Service List  
Carla Owings, OPUC

Loretta Mabinton

## CERTIFICATE OF SERVICE

I hereby certify that I have this day caused the foregoing **PORTLAND GENERAL ELECTRIC COMPANY'S DEFERRAL APPLICATION WITHDRAWAL LETTER** to be served by electronic mail to those parties whose email addresses appear on the attached service list, and by First Class US Mail, postage prepaid and properly addressed, to those parties on the attached service list who have not waived paper service from OPUC Docket No. UM 1425.

Dated at Portland, Oregon, this 10th day of December 2009.

  
\_\_\_\_\_  
Patrick G. Hager  
Manager, Regulatory Affairs

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**Docket No:** UM 1425

**Docket Name:** PORTLAND GENERAL ELECTRIC

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In the Matter of PORTLAND GENERAL ELECTRIC COMPANY Application for Deferral of Expenses Associated with an Inc FERC Land Fees Filed by Patrick G. Hager.

**Filing Date:** 3/30/2009

**Case Manager:** CARLA OWINGS

**Phone:** (503) 378-6629

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<b>W</b>	<b>PORTLAND GENERAL ELECTRIC</b>		
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