

ISSUED: June 10, 2010

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

LC 48

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY

2009 Integrated Resource Plan.

RULING

**DISPOSITION: STAFF MOTION TO ABATE SCHEDULE GRANTED IN
PART**

On June 10, 2010, Staff of the Public Utility Commission of Oregon (Commission Staff) filed a motion to abate the schedule in this docket ("Staff's motion"). Because the current schedule requires Portland General Electric Company (PGE) to file comments on June 11, 2010, Staff requests expedited consideration of its motion. Sierra Club, Columbia Riverkeeper, Friends of the Columbia Gorge, and the Northwest Environmental Defense Center (collectively, "Intervenors") jointly filed a response opposing Staff's motion. PGE filed a response generally supporting Staff's motion. For reasons that follow, Staff's motion is granted, in part.

Position of the Parties

Staff requests that the procedural schedule in this docket be abated, with the exception of the public comment meeting scheduled for June 23, 2010, in Portland, Oregon. Staff notes that pending actions by the Environmental Quality Commission (EQC) and the Department of Environmental Quality (DEQ) may impact parties' analysis of the issues in this docket. In particular, if the EQC denies PGE's pending petition for a revision to air pollution control rules for the Boardman plant, PGE will be unable to implement the alternative operating plan that this Commission is currently considering. EQC is scheduled to consider PGE's petition at a hearing on June 17, 2010, and must act on PGE's petition no later than July 1, 2010. As a result, Staff asks the schedule be abated and that the Commission schedule a prehearing conference for the week of July 6, 2010, to establish a new procedural schedule.

PGE supports Staff's motion but requests that a prehearing conference be scheduled as quickly as possible after EQC's June 17, 2010 meeting, and no later than the week of June 28, 2010. PGE also requests that the June 23, 2010 public comment meeting in Portland be delayed, and, if it is not delayed, PGE requests that all further comments in this docket be limited to written comments.


Intervenors oppose Staff's motion. Intervenors argue that abating the schedule does not serve the interests of ratepayers, and that EQC's pending decision will not have a real impact on this docket because DEQ's actions indicate that DEQ explicitly supports a rulemaking to accomplish an early shut-down of the Boardman plant, coupled with interim control measures. Intervenors state that DEQ's decision to recommend that EQC deny PGE's petition, so that it may open its own rulemaking docket on the issue, does not provide any new information to this Commission regarding PGE's integrated resource plan (IRP), and that the parties to this docket are not likely to have any information more certain about DEQ or EQC action(s) by early July 2010 than they do today.

Resolution

Since EQC's hearing may change PGE's alternative operating plan, moving forward with the current schedule could force PGE and the parties to this docket to explore options that may not be viable after June 17, 2010. The schedule is suspended, with the exception of the June 23, 2010 Portland public comment meeting. The Commission will proceed with that meeting, but no other public meetings will be held in Portland. All other necessary meetings and workshops to address PGE's IRP will be held at the Commission's offices in Salem, Oregon.

A prehearing conference to discuss the schedule in this docket will be set no later than the week of June 28, 2010.

Dated this 10th day of June, 2010, at Salem, Oregon.



Shani Pines
Administrative Law Judge