

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

LC 56

In the Matter of

PORTLAND GENERAL ELECTRIC  
COMPANY,

2013 Integrated Resource Plan.

RULING

DISPOSITION: STATUS OF DOCKET CLARIFIED: PETITIONS TO  
INTERVENE GRANTED FOR LIMITED PURPOSES

The Commission has received petitions to intervene from the Renewable Northwest Project (RNP) and National Resources Defense Council (NRDC).<sup>1</sup> Before addressing them, I take this opportunity to clarify the procedural nature of Integrated Resource Plan (IRP) proceedings, and to explain the purpose for party status in these cases.

IRP proceedings are not considered “contested case proceedings” under ORS 183.310(2)(a). The Commission does not finally determine the legal rights, duties, or privileges of any party, and does not use proceedings that include an evidentiary hearing with sworn testimony. An order acknowledging an IRP is not a final order subject to judicial review under ORS 183.310(6)(a)(B) because it does not preclude further agency consideration of the subject matter of the order.<sup>2</sup>

Despite the fact that IRP proceedings are not contested case proceedings, there are two primary reasons why it is necessary to grant party status to persons interested in participating. First, obtaining party status will allow party representatives to be placed on the service list for purposes of receiving copies of filings made by other parties. Second, all parties are generally eligible to sign any applicable protective order to obtain access to information that has been deemed confidential.

Accordingly, the Commission grants petitions to intervene in IRP dockets, even though party status does not confer the general rights and duties to individuals who participate in contested case proceedings.

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<sup>1</sup> The Commission has previously granted petitions to intervene filed by the Industrial Customers of Northwest Utilities and the Oregon Department of Energy. The Citizens’ Utility Board of Oregon intervened as a matter of right.

<sup>2</sup> See ORS 183.310(6)(a)(B).

With that clarification, I turn to the two pending petitions. I find that RNP and NRDC have sufficient interest in the proceedings to participate and that their participation will not unreasonably broaden the issues, burden the record, or delay the proceedings.<sup>3</sup> The petitions to intervene are therefore granted.

Dated this 31st day of May, 2013 at Salem, Oregon.

A handwritten signature in black ink, appearing to read "Michael Grant", written over a horizontal line.

Michael Grant  
Chief Administrative Law Judge

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<sup>3</sup> See OAR 860-001-0300(7).