



**Attorneys and
Counselors at Law**

Established 1970

*Celebrating 42 years
of Excellence!*

Attorney

Samuel L. Roberts
sroberts@eugenelaw.com

Legal Assistant

Nancy Bish
nbish@eugenelaw.com

200 FORUM BUILDING

777 High Street

MAIL: PO Box 10886
Eugene, Oregon
97440

PHONE

541 686-9160

FAX

541 343-8693

www.eugenelaw.com

May 28, 2013

Public Utility Commission
Attn: Filing Center
PO Box 2148
Salem, OR 97308

Re: In the Matter of PacifiCorp, dba Pacific Power
2014 Transition Adjustment Mechanism, Five-Year Cost of
Service Opt-Out – UE 267
Our File No.: 10935/C1385C

Dear Filing Center:

Enclosed for filing in the above-referenced docket are the original and one copy of Wal-Mart Stores, Inc.'s Petition to Intervene in UE 267.

A copy of this filing has been served on all parties to this proceeding as indicated on the enclosed certificate of service.

Very truly yours,

HUTCHINSON, COX, COONS,
ORR & SHERLOCK, P.C.



Samuel L. Roberts

SLR/nb
Enclosures

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 267

In the Matter of PACIFICORP, dba)	
PACIFIC POWER,)	
)	PETITION TO INTERVENE
2014 Transition Adjustment Mechanism,)	OF WAL-MART STORES, INC
Five-Year Cost of Service Opt-Out.)	
)	
)	
)	

Pursuant to ORS §756.525 and OAR §860-001-0300, Wal-Mart Stores, Inc. (“Walmart”), by its attorneys, respectfully petitions the Public Utility Commission of Oregon (“Commission”) for full intervenor status in the above-captioned proceeding and states in support thereof:

1. The business address of Walmart is:

Wal-Mart Stores, Inc.
2001 SE 10th Street
Bentonville, AR 72716

2. Walmart will be represented in this proceeding by Samuel L. Roberts and Hutchinson, Cox, Coons, Orr & Sherlock, P.C. Walmart requests that all documents in this proceeding be served on its counsel and representatives at the following address:

Samuel L. Roberts
Hutchinson, Cox, Coons, Orr & Sherlock, P.C.
PO Box 10886
Eugene, OR 97440
sroberts@eugenelaw.com

Steve W. Chriss
Wal-Mart Stores, Inc.
2001 SE 10th Street
Bentonville, AR 72716
stephen.chriss@wal-mart.com

Ken Baker
Wal-Mart Stores, Inc.
2001 SE 10th Street
Bentonville, AR 72716
ken.baker@wal-mart.com

3. Walmart is a national retailer of goods and services throughout the United States. Walmart has the privilege of providing its retail services in the State of Oregon. Walmart employs approximately 10,000 associates in Oregon, and purchases goods and services locally worth approximately \$464 million from Oregon suppliers. Walmart is a large customer of PacifiCorp, dba Pacific Power (“Pacific Power”).

4. Walmart has a substantial interest in the outcome of this proceeding. Walmart has approximately fifteen (15) facilities, including discount stores and Supercenters, in Pacific Power’s service territory. As a large commercial customer eligible for direct access, Walmart is directly affected by the Pacific Power Transition Adjustment Mechanism, Five-Year Cost of Service Opt-Out. As a result, the legal rights and interests of Walmart may be substantially impacted by this proceeding.

5. Walmart has begun to review and analyze Pacific Power’s filing; however, it has not yet developed a precise statement of the specific action sought or a factual and legal basis for such positions. Without limiting Walmart’s request for full intervenor status or waiving any rights to address other issues raised by the parties or the Commission, Walmart can state that its focus at the time of filing this petition will be the calculation of the transition adjustment charges and the structure of the opt-out.

6. Walmart intends to play a constructive role in the Commission’s decision making process. As a large customer, Walmart can add a unique prospective to this proceeding. Walmart participates in more than twenty rate cases across the nation each year. In addition, Walmart has extensive experience and knowledge relating to competitive power markets and the transition to direct access service. As a result, Walmart can meaningfully contribute to this

proceeding, and such participation should not impose any burden on the Commission or parties or otherwise delay this proceeding.

WHEREFORE, for all the reasons stated above, Walmart respectfully requests that the Commission grant its Petition to Intervene with full party status in this proceeding.

DATED: May 28, 2013

HUTCHINSON, COX, COONS,
ORR & SHERLOCK, P.C.

/S/ Samuel L. Roberts

Samuel L. Roberts
OSB No. 115034
PO Box 10886
Eugene, OR 97440
sroberts@eugenelaw.com
(541) 686-9160
(541) 343-8693 (Fax)

Of Attorneys for Wal-Mart Stores, Inc.

CERTIFICATE OF SERVICE
OPUC Docket No. UE 267

I hereby certify that I caused to be served the foregoing Petition to Intervene of Wal-Mart Stores, Inc., via electronic mail and, where paper service is not waived, via postage-paid First Class Mail upon the following parties of record:

Carl Fink Blue Planet Energy Law 628 SW Chestnut St. Portland, OR 97219 cmfink@blueplanetlaw.com	Kurt J. Boehm Boehm Kurtz & Lowry 36 E Seventh St., Ste. 1510 Cincinnati, OH 45202 kboehm@bkllawfirm.com
Jody Kyler Cohn Boehm Kurtz & Lowry 36 E Seventh St., Ste. 1510 Cincinnati, OH 45202 jkyler@bkllawfirm.com	Thomas M. Grim Cable Huston Benedict et al 1001 SW Fifth Ave., Ste. 2000 Portland, OR 97204-1136 tgrim@cablehuston.com
Richard Lorenz Cable Huston Benedict Haagensen & Lloyd 1001 SW Fifth Ave., Ste. 2000 Portland, OR 97204-1136 rlorenz@cablehuston.com	Mary Lynch Constellation Energy Commodities Group, Inc. 5074 Nawal Drive El Dorado Hills, CA 95762 mary.lynch@constellation.com
John Domagalski Constellation Newenergy, Inc. 550 West Washington Blvd., Ste. 300 Chicago, IL 60661 john.domagalski@constellation.com	Irion A. Sanger Davison Van Cleve 333 SW Taylor, Ste. 400 Portland, OR 97204 ias@dvclaw.com
S. Bradley Van Cleve Davison Van Cleve PC 333 SW Taylor, Ste. 400 Portland, OR 97204 bvc@dvclaw.com	Kevin Higgins Energy Strategies LLC 215 State Street, Suite 200 Salt Lake City, UT 84111-2322 khiggins@energystrat.com
Cynthia Fonner Brady Exelon Business Services Company 4300 Winfield Road Warrenville, IL 60555 cynthia.brady@constellation.com	Nona Soltero Fred Meyer Stores/Kroger 3800 SE 22nd Avenue Portland, OR 97202 nona.soltero@fredmeyer.com

<p>Noble Americas Energy Solutions LLC Greg Bass 401 West A Street, Suite 500 San Diego, CA 92101 gbass@noblesolutions.com</p>	<p>Robert D. Kahn NW & Intermountain Power Producers Coalition 1117 Minor Ave., Ste. 300 Seattle, WA 98101 rkahn@nippc.org; rkahn@rdkco.com</p>
<p>Joelle Steward Pacific Power & Light 825 NE Multnomah, Ste. 2000 Portland, OR 97232 joelle.steward@pacificorp.com</p>	<p>Etta Lockey PacifiCorp 825 NE Multnomah Street, Ste. 2000 Portland, OR 97232 etta.lockey@pacificorp.com</p>
<p>Douglas C. Tingey Portland General Electric 121 SW Salmon Street – 1WTC13 Portland, OR 97204 doug.tingey@pgn.com</p>	<p>Jay Tinker Portland General Electric 121 SW Salmon Street – 1WTC-0702 Portland, OR 97204 pge.opuc.filings@pgn.com</p>
<p>Marc Hellman Public Utility Commission of Oregon PO Box 2148 Salem, OR 97308-2148 marc.hellman@state.or.us</p>	<p>Johanna Riemenschneider PUC Staff—Department of Justice Business Activities Section 1162 Court Street NE Salem, OR 97301-4096 johanna.riemenschneider@doj.state.or.us</p>
<p>Donald W. Schoenbeck Regulatory & Cogeneration Services Inc 900 Washington Street, Ste. 780 Vancouver, WA 98660-3455 dws@r-c-s-inc.com</p>	<p>Gregory M. Adams Richardson & O’Leary PO Box 7218 Boise, ID 83702 greg@richardsonandoleary.com</p>
<p>Lissa Maldonado Safeway Inc. 5918 Stoneridge Mall Road Pleasanton, CA 94588-3229 lissa.maldonado@safeway.com</p>	<p>George Waidelich Safeway Inc. 5918 Stoneridge Mall Road Pleasanton, CA 94588-3229 george.waidelich@safeway.com</p>

John Leslie
Shell Energy
600 West Broadway, Ste. 2600
San Diego, CA 92101
jleslie@mckennalong.com

Marcie Milner
Shell Energy North America
4445 Eastgate Mall, Ste. 100
San Diego, CA 92121
marcie.milner@shell.com

DATED this 28th day of May, 2013.

HUTCHINSON, COX, COONS,
ORR & SHERLOCK, P.C.

/S/ Samuel L. Roberts

Samuel L. Roberts
OSB No. 115034
PO Box 10886
Eugene, OR 97440
sroberts@eugenelaw.com
(541) 686-9160
(541) 343-8693 (Fax)

Of Attorneys for Wal-Mart Stores, Inc.