

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1587, UE 267

In the Matters of
PUBLIC UTILITY COMMISSION OF
OREGON,
Investigation of Issues Relating to Direct
Access (UM 1587),

and

In the Matter of
PACIFICORP, dba PACIFIC POWER,
Transition Adjustment, Five-Year Cost of
Service Opt-Out (UE 267).

RULING

**DISPOSITION: PETITIONS TO INTERVENE TREATED AS SEEKING
PARTY STATUS IN UE 267 AND GRANTED.**

On February 28, 2013, Pacific Power filed Advice No. 13-004, offering a five-year cost of service opt-out program to qualified customers. Pacific Power made the filing at the request of the Commission in docket UM 1587, Order No. 12-500.

In response to the filing, both Vitesse LLC and Fred Meyer Stores, a subsidiary of the Kroger Co. and Quality Food Centers (Kroger), petitioned to intervene. Both petitions were filed in docket UM 1587. By ruling dated March 11, 2013, I granted the petition to intervene by Vitesse LLC.


Although Pacific Power made the filing in UM 1587, the Commission has docketed it as UE 267 because it proposes changes to the company's tariffs. For this reason, the petitions to intervene filed by both Vitesse LLC and Kroger should be treated as seeking party status in docket UE 267, not UM 1587.

Accordingly, my March 11, 2013 ruling is modified to grant Vitesse party status in UE 267. In addition, upon review of Kroger's petition, I find that Kroger has sufficient interest in the UE 267 proceeding to participate and that its participation will not unreasonably broaden the issues, burden the record, or delay the proceedings.¹ Therefore, the petition to intervene in UE 267 is granted.

¹ See OAR 860-001-0300(7).

Finally, with its petition to intervene, Kroger filed a motion for leave to file a certificate of compliance for *pro hac vice* admission at a later date. That motion is granted.

Dated this 20th day of March, 2013 at Salem, Oregon.

A handwritten signature in black ink, appearing to read "M. Grant", is written above a horizontal line.

Michael Grant
Chief Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures