



Suite 2400  
1300 SW Fifth Avenue  
Portland, OR 97201-5610

**Derek D. Green**  
(503) 778-5264 tel  
(503) 778-5299 fax

derekgreen@dwt.com

November 18, 2013

Via Email and US Mail

Public Utility Commission of Oregon  
3930 Fairview Industrial Drive SE  
PO Box 1088  
Salem, OR 97308-1088

Re: Columbia Basin Electric Cooperative, Inc. v. PacifiCorp and North Hurlburt Wind, LLC  
Docket No. UM 1670

Dear Sir/Madam:

Enclosed is the original plus one copy of Defendant North Hurlburt Wind, LLC's Objection to Petition to Intervene of Umatilla Electric Cooperative and Declaration of Derek Green in support.

Please contact me if you have any questions.

Very truly yours,

Davis Wright Tremaine LLP

A handwritten signature in blue ink, appearing to read 'Derek D. Green'.

Derek D. Green

Enclosures  
cc (via email): UM 1670 Service List

DWT 22975703v1 0084118-000016

Anchorage  
Bellevue  
Los Angeles

New York  
Portland  
San Francisco

Seattle  
Shanghai  
Washington, D.C.

[www.dwt.com](http://www.dwt.com)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

BEFORE THE  
PUBLIC UTILITY COMMISSION OF OREGON

COLUMBIA BASIN ELECTRIC  
COOPERATIVE, INC., an Oregon cooperative  
corporation,  
  
Complainant,  
  
v.  
  
PACIFICORP, dba Pacific Power, an Oregon  
business corporation,  
  
Defendant,  
  
and  
  
NORTH HURLBURT WIND, LLC, a foreign  
limited liability company,  
  
Defendant.

Case No. UM1670

**NORTH HURLBURT WIND, LLC'S  
OBJECTION TO PETITION TO  
INTERVENE OF UMATILLA  
ELECTRIC COOPERATIVE**

**INTRODUCTION**

Pursuant to OAR 860-001-0300, Defendant North Hurlburt Wind, LLC (“North Hurlburt”) objects to Umatilla Electric Cooperative’s (“UEC”) petition to intervene in the above matter. UEC’s petition to intervene fails to explain how any interests it may have (in a dispute that does not concern it or its service territory) are not adequately represented by the current parties, why its participation in this case is necessary, or what issues it intends to raise. North Hurlburt accordingly requests that UEC’s petition to intervene be denied.

**ARGUMENT**

UEC’s petition asserts that “[n]o other party in this proceeding fully represents UEC’s interests.” UEC Petition at 2. But it provides little explanation or support for that assertion.

1 North Hurlburt notes that UEC is a member of Intervenor Oregon Rural Electric Cooperative  
2 Association (ORECA), *see* Declaration of Derek D. Green, Ex. 1, which stated in its own  
3 Petition to Intervene that its purposes are to “represent the legislative and regulatory interests of  
4 not-for-profit consumer-owned electric cooperative utilities throughout rural Oregon.” *See*  
5 ORECA Petition to Intervene at 1-2. To the extent UEC could have any interests in this  
6 contested case, ORECA’s intervention should adequately represent those interests. The fact that  
7 UEC has its own exclusive service territory near those of Pacific Power and CBEC is irrelevant;  
8 there are no allegations in this matter to suggest that this dispute involves, or has any unique  
9 effect on, UEC’s service territory.

10 Moreover, UEC’s petition fails to identify any particular issues that UEC intends to raise.  
11 *See* OAR 860-001-0300(2)(e) (stating that a petition to intervene “must contain,” *inter alia*, the  
12 “issues petitioner intends to raise at the proceedings”). Without such information, it is  
13 reasonable to assume that UEC’s involvement will only serve to further expand this case beyond  
14 its proper scope.

15 Finally, the expansive discovery requested to date in this matter presents a significant  
16 concern to North Hurlburt. While North Hurlburt intends to work with the current parties to  
17 address this issue, further expansion of the parties only heightens North Hurlburt’s concern in  
18 this regard – as well as its related concern over the unnecessary dissemination of sensitive  
19 records to additional parties (even if some of those materials are subject to a protective order).  
20 Accordingly, to the extent the Commission grants UEC intervenor status, North Hurlburt  
21 requests that it restrict UEC’s participation to briefing and restrict its access to any discovery in  
22 this matter.

23 ///

24 ///

25 ///

26 ///

1 **CONCLUSION**

2 For all of the above reasons, North Hurlburt respectfully requests that UEC's petition to  
3 intervene be denied.

4 DATED this 18th day of November, 2013.

5 DAVIS WRIGHT TREMAINE LLP

6  
7 By /s/ Derek D. Green  
8 John A. Cameron, OSB #92873  
9 Derek D. Green, OSB#042960  
10 Tel: 503-241-2300  
11 Fax: 503-778-5299  
12 Email: [johncameron@dwt.com](mailto:johncameron@dwt.com)  
13 Email: [derekgreen@dwt.com](mailto:derekgreen@dwt.com)  
14 Of Attorneys for Defendant North Hurlburt Wind, LLC  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

1 **CERTIFICATE OF FILING AND SERVICE**  
2 **Docket No. UM 1670**

3 I hereby certify that on the date given below the original and one true and correct copy of  
4 the foregoing **DEFENDANT NORTH HURLBURT WIND, LLC'S OBJECTION TO**  
5 **PETITION TO INTERVENE OF UMATILLA ELECTRIC COOPERATIVE** were sent by  
6 email and first-class mail to:

7 Public Utility Commission of Oregon  
8 3930 Fairview Industrial Drive SE  
9 PO Box 1088  
10 Salem, OR 97308-1088  
E-mail: puc.filingcenter@state.or.us

11 On the same date, a true and correct copy of the foregoing document was sent the  
12 following parties by electronic mail as indicated on the attached Service List.

13 DATED this 18<sup>th</sup> day of November, 2013.

14 **DAVIS WRIGHT TREMAINE LLP**

15  
16 By: /s/ Derek D. Green

17 John A. Cameron, OSB #92873  
18 Derek D. Green, OSB #042960  
19 1300 SW Fifth Avenue, Suite 2400  
20 Portland OR 97201  
21 Tel: 503-241-2300  
22 Fax: 503-778-5299  
23 Email: johncameron@dwt.com  
24 Email: derekgreen@dwt.com

25 Of Attorneys for Defendant  
26 North Hurlburt Wind, LLC

## SERVICE LIST

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

W = waives paper service

W  
Jerry M. Healy, Manager  
COLUMBIA BASIN ELECTRIC  
COOPERATIVE, INC.  
P O Box 398  
Heppner, OR 97836-0398  
Email: jerryh@columbiabasin.cc

W  
Charles N. Fadeley  
Attorney at Law  
P. O. Box 1408  
Sisters, OR 97759  
Email: fade@bendbroadband.com

W  
Raymond S. Kindley  
KINDLEY LAW, PC  
P O Box 569  
West Linn, OR 97068  
Email: kindleylaw@comcast.net

W  
Thomas M. Grim  
Tommy a. Brooks  
CABLE HUSTON  
1001 SW Fifth Ave., Suite 2000  
Portland, OR 97204-1136  
Email: tgrim@cablehuston.com  
tbrooks@cablehuston.com

W  
Sarah Wallace, Senior Counsel  
PACIFIC POWER  
825 NE Multnomah, Suite 1800  
Portland, OR 97232  
Email: Sarah.Wallace@PacifiCorp.com

W  
Pacifcorp, dba Pacific Power  
Oregon Dockets  
825 NE Multnomah St., Suite 2000  
Portland, OR 97232  
Email: oregondockets@pacificcorp.com

W  
Ted Case, Executive Director  
OREGON RURAL ELECTRIC  
COOPERATIVE ASSOCIATION  
698 12<sup>th</sup> Street SE, Suite 210  
Salem, OR 97301  
Email: tcase@oreca.org

W  
Steve Eldrige  
Umatilla Electric Cooperative Assn.  
P O Box 1148  
Hermiston, OR 97838  
Email: steve.eldrige@ueinet.com

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

BEFORE THE  
PUBLIC UTILITY COMMISSION OF OREGON

COLUMBIA BASIN ELECTRIC  
COOPERATIVE, INC., an Oregon cooperative  
corporation,  
  
Complainant,  
  
v.  
  
PACIFICORP, dba Pacific Power, an Oregon  
business corporation,  
  
Defendant,  
  
and  
  
NORTH HURLBURT WIND, LLC, a foreign  
limited liability company,  
  
Defendant.

Case No. UM1670

**DECLARATION OF DEREK D.  
GREEN IN SUPPORT OF NORTH  
HURLBURT WIND, LLC'S  
OBJECTION TO PETITION TO  
INTERVENE**

I, Derek D. Green, hereby declare:

1. I am one of the attorneys for Defendant North Hurlburt Wind, LLC in the above-captioned proceeding. I have personal knowledge of the matters stated herein and am competent to testify on such matters.

2. Attached hereto as Exhibit 1 is a true and accurate copy of printed excerpts from the Oregon Rural Electric Cooperative Association's website, which I accessed on November 15, 2013 via the website's home page and "About Us" links, accessible at the following address:

<http://www.oreca.org/>

1            *I hereby declare that the above statements are true to the best of my knowledge and*  
2 *belief, and that I understand that this declaration is made for use as evidence and is subject to*  
3 *penalty for perjury.*

4            DATED this 18<sup>th</sup> day of November, 2013.

5

6

/s/ Derek D. Green  
Derek D. Green

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26



2013 Annual Meeting Info and Form

CONTACT OUR OFFICE: 1-503-585-9988

Contact Us



Main About Us News and Updates Member Services

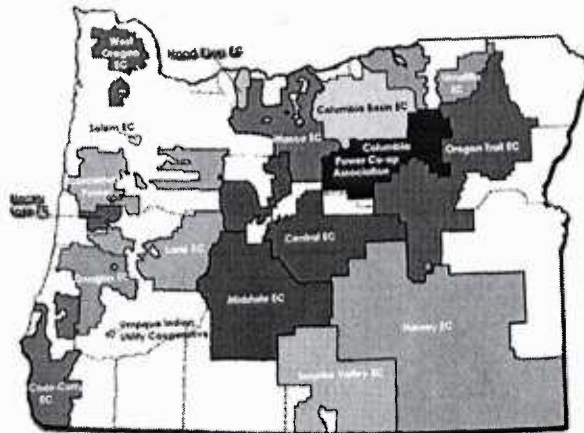


Keeping Pace

## Welcome To The Oregon Rural Electric Cooperative Association

Events (Get 2013 Annual Meeting Info Here)

Contact Us



ORECA - Oregon's Rural Electric Cooperative Association represents the legislative and regulatory interests of Oregon's 18 not-for-profit, consumer-owned electric cooperative utilities. Electric cooperatives are consumer-owned, not-for-profit utilities governed by member elected boards of directors. Oregon's electric cooperatives were first organized in the 1930's to bring electric power to under-served rural areas. All 18 Oregon co-ops are members of ORECA.

Cooperatives serve over 10% of Oregon's electricity consumers, are located in 32 counties and maintain 26,000 miles of line traversing Oregon's most rugged terrain.

This site provides information about ORECA, and its member utilities. If you would like more information, please use our contact form.

Declaration of Derek Green  
Exhibit 1, Page 1 of 3

2013 Annual Meeting Info and Form

CONTACT OUR OFFICE: 1-503-585-9988

Contact Us



[Main](#)   [About Us](#)   [News and Updates](#)   [Member Services](#)

## Oregon Cooperatives

### Site Navigation

Cooperative	Contact Information	Manager
Blachy-Lane Electric Cooperative	P. O. Box 70 Junction City, OR 97448 541-688-8711 <a href="#">Website</a>	Joe Jarvis
Central Electric Co-op	2098 N. Hwy 97 Redmond, OR 97756 541-548-2144 <a href="#">Website</a>	Dave Markham
Columbia Basin Electric Co-op	PO Box 398 Heppner, OR 97836 541-676-9146 <a href="#">Website</a>	Jerry Healy
Columbia Power Co-op Assoc.	PO Box 97 Monument, OR 97864 541-934-2311	Troy Cox
Consumers Power, Inc.	6990 West Hills Rd Philomath, OR 97370 541-929-3124 <a href="#">Website</a>	Roman Gillen
Coos-Curry Electric Co-op	43050 Highway 101 Port Orford, OR 97465 541-232-3931 <a href="#">Website</a>	Roger Meader
Douglas Electric Co-op	1981 NE Stephens St. Roseburg, OR 97470 541-673-6616 <a href="#">Website</a>	Dave Sabala
Harney Electric Co-op	1326 Hines Blvd. Burns, OR 97720 541-573-2061 <a href="#">Website</a>	Randy Whitaker
Hood River Electric Co-op	PO Box 125 Odell, OR 97044 541-354-1233 <a href="#">Website</a>	John Gerstenberger
Lane Electric Co-op	787 Bailey Hill Rd. Eugene, OR 97402 541-484-1151 <a href="#">Website</a>	Rick Crinklaw
Midstate Electric Co-op	16755 Finley Butte Rd LaPine, OR 97739 Ph: 541-536-2126 / Fax: 541-536-1423 <a href="#">Website</a>	Dave Schneider
Oregon Trail Electric Consumers Co-op	4005 23rd St Baker City, OR 97814 541-523-3616 <a href="#">Website</a>	Werner Buehler
Salem Electric	633 Seventh St. NW Salem, OR 97304 503-362-3601 <a href="#">Website</a>	Bob Speckman
Surprise Valley Electrification Corp.	22595 Hwy 395 N Alturas, CA 96101 Ph: 530-233-3511 / Fax: 530-233-2190 <a href="#">Website</a>	Jim Hays
Umatilla Electric Co-op	750 West Elm Hermiston, OR 97838 541-567-6414 <a href="#">Website</a>	Steve Eldrige
Umpqua Indian Utility Co-op	2371 NE Stephens St., Suite 500	Ron Doan

[Main](#)

[About Us](#)

[ORECA Board](#)

[Oregon Cooperatives](#)

[Associate Members](#)

[Staff](#)

[Contact Us](#)

[ORECA at 70](#)

[News and Updates](#)

[Member Services](#)

Declaration of Derek Green  
Exhibit 1, Page 2 of 3

Cooperative	Contact Information	Manager
	Roseburg, OR 97470 541-677-5569 <a href="#">Website</a>	
Wasco Electric Co-op	105 E. 4th St. The Dalles, OR 97058 541-296-2740 <a href="#">Website</a>	Jeff Davis
West Oregon Electric Co-op	715 Maple St. Vernonia, OR 97064 503-429-3021 <a href="#">Website</a>	Marc Farmer



[Main](#)   [About Us](#)   [News and Updates](#)   [Member Services](#)

Copyright © 2013 ORECA.org. All Rights Reserved.



## SERVICE LIST

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

W = waives paper service

W  
Jerry M. Healy, Manager  
COLUMBIA BASIN ELECTRIC  
COOPERATIVE, INC.  
P O Box 398  
Heppner, OR 97836-0398  
Email: jerryh@columbiabasin.cc

W  
Charles N. Fadeley  
Attorney at Law  
P. O. Box 1408  
Sisters, OR 97759  
Email: fade@bendbroadband.com

W  
Raymond S. Kindley  
KINDLEY LAW, PC  
P O Box 569  
West Linn, OR 97068  
Email: kindleylaw@comcast.net

W  
Thomas M. Grim  
Tommy A. Brooks  
CABLE HUSTON  
1001 SW Fifth Ave., Suite 2000  
Portland, OR 97204-1136  
Email: tgrim@cablehuston.com  
tbrooks@cablehuston.com

W  
Sarah Wallace, Senior Counsel  
PACIFIC POWER  
825 NE Multnomah, Suite 1800  
Portland, OR 97232  
Email: Sarah.Wallace@PacifiCorp.com

W  
Pacifcorp, dba Pacific Power  
Oregon Dockets  
825 NE Multnomah St., Suite 2000  
Portland, OR 97232  
Email: oregondockets@pacifcorp.com

W  
Ted Case, Executive Director  
OREGON RURAL ELECTRIC  
COOPERATIVE ASSOCIATION  
698 12<sup>th</sup> Street SE, Suite 210  
Salem, OR 97301  
Email: tcase@oreca.org

W  
Steve Eldrige  
Umatilla Electric Cooperative Assn.  
P O Box 1148  
Hermiston, OR 97838  
Email: steve.eldrige@ueinet.com