
BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

In the Matter of
PUBLIC UTILITY COMMISSION OF
OREGON,

Voluntary Renewable Energy Tariffs for
Non-Residential Customers

Docket No. UM-1690

**MOTION FOR ADMISSION *PRO HAC*
VICE OF VICKI M. BALDWIN**

Brandon J. Mark, an attorney licensed to practice law in the State of Oregon, hereby moves the Public Utility Commission (“Commission”) to permit Vicki M. Baldwin, Esq., to appear and participate as counsel for Walmart Stores, Inc. and Sam’s West, Inc. (jointly “Walmart”) in the above-captioned matter. The reasons therefor are set forth in the attached Memorandum in Support.

DATED this 19th day of April, 2018.



Brandon J. Mark, OSB #041613
PARSONS BEHLE & LATIMER
201 South Main Street, Suite 1800
Salt Lake City, Utah 84111
bmark@parsonsbehle.com
801-532-1234

MEMORANDUM IN SUPPORT

Brandon J. Mark, an attorney licensed to practice law in the State of Oregon, hereby moves the Commission to permit Vicki M. Baldwin to appear and participate as counsel for Walmart before this Commission in all proceedings in this matter. Vicki M. Baldwin is a licensed attorney in good standing in Utah and Nevada. Copies of Certificates of Good Standing from each jurisdiction in which Ms. Baldwin is licensed are attached. A certificate of Liability Insurance verifying that Ms. Baldwin is insured is also attached. The Commission also recently granted the motion to admit Ms. Baldwin as counsel *pro hac vice* on behalf of Walmart for a one-year period in Docket No. UE-335. A copy of that order is also attached.

WHEREFORE, I respectfully request that the Commission enter an order granting this Motion for Admission *Pro Hac Vice*.

DATED this 19th day of April, 2018.



Brandon J. Mark, OSB #041613
PARSONS BEHLE & LATIMER
201 South Main Street, Suite 1800
Salt Lake City, Utah 84111
bmark@parsonsbehle.com
801-532-1234



Oregon

Kate Brown, Governor

OFFICE OF ADMINISTRATIVE HEARINGS

PO Box 14020
Salem, OR 97309
(503) 947-1918
FAX (503) 947-1920

In re: Vicki M. Baldwin) **Certificate of Compliance**
Name of Out-of-State Attorney) **For Pro Hac Vice Admission**

I, Vicki M. Baldwin (print), am an attorney in the State of Utah, and I intend to seek *pro hac vice* admission in accordance with ORS 9.241, OAR 137-003-0550 and UTCR 3.170 in the following Office of Administrative Hearings proceeding:

Case Name: In the Matter of Public Utility Commission of Oregon, Voluntary Renewable Energy Tariffs for Non-Residential Customers

Case No.: UM 1690 **Agency Name** Oregon Public Utility Commission

I certify that (check all that apply):

- I am an attorney in good standing in the State of Utah, as evidenced by the attached good standing certificate issued by the licensing authority in that state.
 - I am not subject to any pending disciplinary proceedings in any jurisdiction; or
 - I am subject to pending disciplinary proceedings in another jurisdiction, the nature and status of which are described in an attachment to this certificate.
- I intend to associate in the above-referenced proceeding with Brandon J. Mark, OSB No. 041613, an active member in good standing of the Oregon State Bar, who will participate meaningfully in the matter.
- I will comply with applicable statutes, laws, and procedural rules of the State of Oregon; be familiar with and comply with disciplinary rules of the Oregon State Bar; and submit to the jurisdiction of the Oregon courts and Oregon State Bar with respect to acts and omissions occurring during my *pro hac vice* admission.
- My private law practice activities in Oregon are covered by professional liability insurance substantially equivalent to the Oregon State Bar Professional Liability Fund plan, as evidenced by the attached certificate of insurance coverage.
- I agree, as a continuing obligation of *pro hac vice* admission, to promptly notify the Agency and the Office of Administrative Hearings of any changes in my insurance coverage, or my admission or disciplinary status in any other jurisdiction.
- I will provide to the Oregon State Bar a copy of the order admitting me *pro hac vice* in this matter when such an order is granted. In the event *pro hac vice* admission is revoked, I will promptly notify the Oregon State Bar.
- I acknowledge this application is for a period of twelve months from the date of the approval and new application must be submitted to continue my *pro hac vice* admission in the matter for every twelve-month period thereafter.
Dated this 19th day of April, 2018.

X 
(Applicant Signature)

Mailing Address: Parsons Behle & Latimer
201 South Main Street, Suite 1800
Salt Lake City, UT 84111

Utah Bar No.: 8532
(Home Jurisdiction)
Phone: 801-532-1324
FAX: 801-536-6111
Email: vbaldwin@parsonsbehle.com

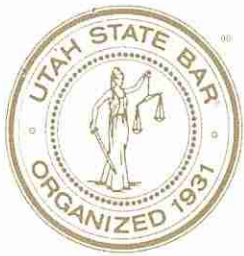
APPLICATION APPROVAL STATUS: **APPROVED** **NOT APPROVED**

Dated this _____ day of _____, 20____.

Signature

Printed Name

Printed Title



Utah State Bar®

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834

Telephone: 801-531-9077 • Fax: 801-531-0660

<http://www.utahbar.org>

John C. Baldwin
Executive Director

Board of Bar Commissioners

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Heather L. Thuet
Christensen & Jensen
Salt Lake City

Kristin K. Woods
Attorney at Law
St. George

This document expires 60 days from the date of issuance

March 2, 2018

To Whom It May Concern:

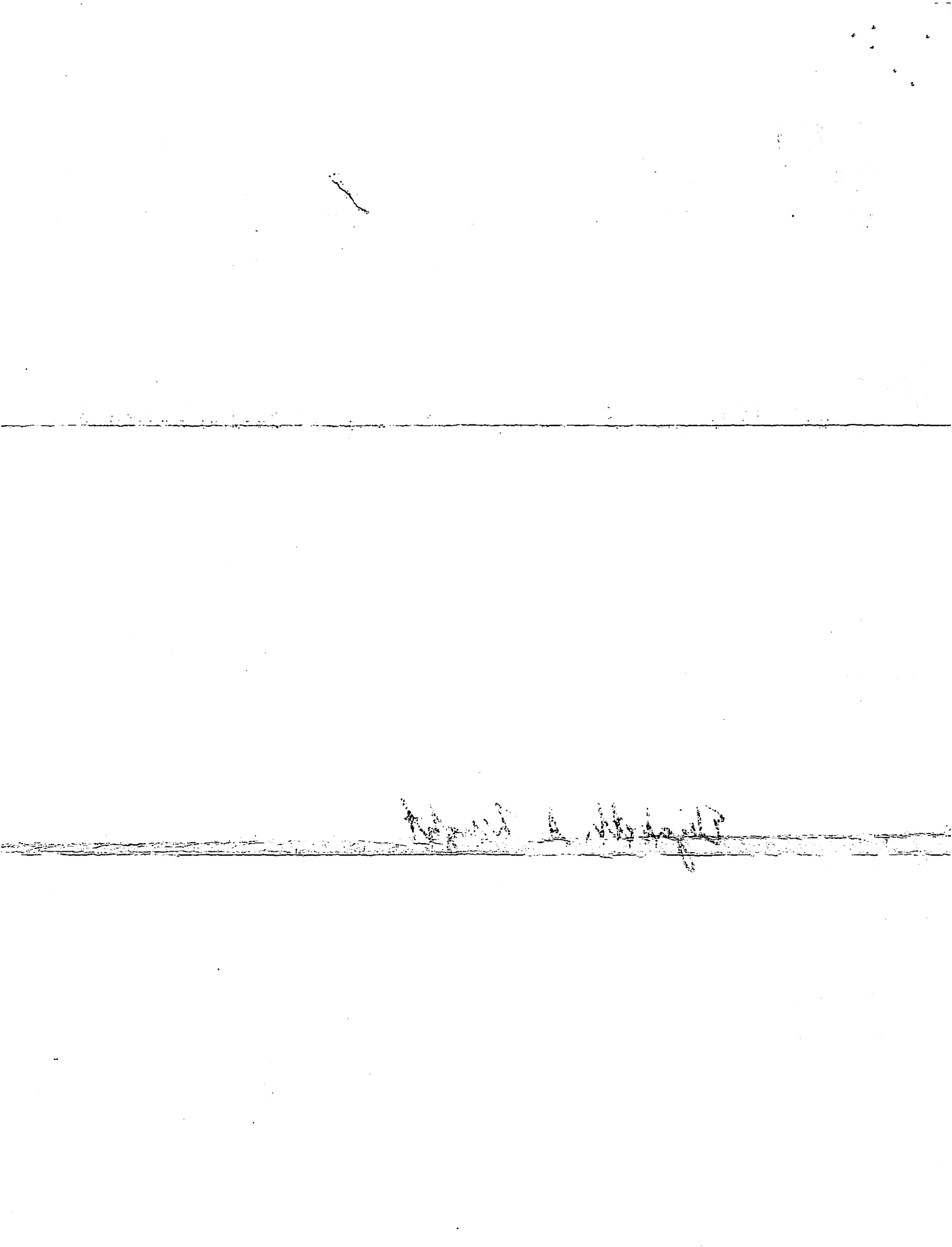
Re: **CERTIFICATE OF GOOD STANDING for VICKI M. BALDWIN**

This is to certify that **VICKI M. BALDWIN**, Utah State Bar No. 8532, sat for and successfully passed the Utah State Bar examination and was admitted to practice law in Utah on **October 19, 1999**.

Ms. Baldwin is currently an **ACTIVE** member of the Utah State Bar in good standing. "Good standing" is defined as a lawyer who is current in the payment of all Bar licensing fees, has met mandatory continuing legal education requirements, if applicable, and is not disbarred, presently on probation, suspended, or has not resigned with discipline pending, from the practice of law in this state.

Elizabeth A. Wright
General Counsel
Utah State Bar



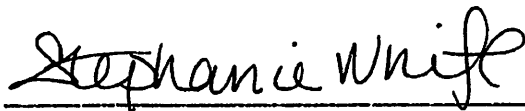


State Bar of Nevada

Certificate of Good Standing

IT IS HEREBY CERTIFIED that Vicki M. Baldwin
Bar Number 11908 was admitted by the Supreme Court of the State of Nevada on
10/07/2010 as an Attorney and Counselor at Law duly licensed to practice in all courts of
the State of Nevada. It is further certified that Vicki M. Baldwin is now an
Active member of the State Bar of Nevada in good standing.

DATED Tuesday, January 30, 2018.



Stephanie White
Member Services Administrator
State Bar of Nevada



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/26/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Integro Insurance Brokers 111 West Campbell 4th Floor Arlington Heights, IL 60005	1-847-385-6800	CONTACT NAME: Robert Herchert PHONE (A/C No. Ext): 8473856800 FAX (A/C No.): E-MAIL ADDRESS: Rob.Herchert@Integrogroup.com
INSURED Parsons Behle & Latimer, PLC 201 South Main St., Suite 1800 Salt Lake City, UT 84111		INSURER(S) AFFORDING COVERAGE INSURER A: COLUMBIA CAS CO and Various Insurers 31127 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER: 50948186 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COM/PROP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Professional Liability			425121305	04/24/17	04/24/18	Each Claim 5,000,000 Annual Aggregate 5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

Rathdrum Power
NABS Corporation
PO Box 995
9924 West Lancaster Road
Rathdrum, ID 83858

USA

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Robert Herchert

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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 335

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,

Request for a General Rate Revision.

PREHEARING CONFERENCE
MEMORANDUM

On March 19, 2018, the Public Utility Commission of Oregon held a prehearing conference in this docket. Representatives appeared on behalf of Portland General Electric Company; PacifiCorp, dba Pacific Power; Oregon Citizens' Utility Board (CUB); Industrial Customers of Northwest Utilities (ICNU); Northwest & Intermountain Power Producers Coalition (NIPPC); Calpine Energy Solutions, LLC (Calpine Solutions); Wal-Mart Stores, Inc. and Sam's West Inc. (Walmart); Verizon; and Commission Staff.

Petitions to Intervene

Prior to the conference, ICNU, PacifiCorp, Calpine Solutions, Walmart, NIPPC, and Fred Meyer Stores, Inc. (Fred Meyer), filed petitions to intervene in this docket. No party attending the conference objected to any of the petitions. I find that ICNU, PacifiCorp, Calpine Solutions, Walmart, NIPPC, and Fred Meyer 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.¹ The petitions to intervene are therefore granted. In addition, CUB filed its notice of intervention as allowed under ORS 774.180.

Pro Hac Vice

Walmart filed a motion to allow Vicki M. Baldwin, and Fred Meyer filed a motion to allow Kurt Boehm and Jody Kyler Cohn to appear as counsel *pro hac vice* in this proceeding. Vicki Baldwin states that she will associate with Brandon Mark. Kurt Boehm and Jody Kyler Cohn will associate with Ian Ford. Mr. Mark and Mr. Ford are both active members in good standing with the Oregon State Bar.

I have reviewed the motions for admission *pro hac vice* and find that they comply with the requirements of UTCR 3.170 and OAR 860-001-0320. No objections have been received.

¹ See OAR 860-001-0300(6).

The motions to admit Vick M. Baldwin as counsel *pro hac vice* on behalf of Walmart and Kurt Boehm and Jody Kyler Cohn on behalf of Fred Meyer are granted for a one-year period. For cases continuing over one year, an attorney appearing *pro hac vice* must file a new application to continue to participate in the case.²

Procedural Schedule

The parties agreed to the following procedural schedule, which was adopted:

General Rate Case Schedule

EVENT	DATE
Requested Deadline for Petitions to Intervene ³	April 6, 2018
Staff Workshop ⁴	April 17, 2018
Intervenor Funding Deadline	April 27, 2018
Staff and Intervenors Opening Testimony	June 6, 2018
Settlement Conference	June 18-19, 2018
PGE Reply Testimony	July 13, 2018
Settlement Conference	July 23-24, 2018
Staff and Intervenors Rebuttal Testimony	August 15, 2018
PGE Surrebuttal Testimony	September 7, 2018
All Parties Prehearing Briefs	September 12, 2018
Hearing ⁵	September 20-21, 2018
PGE Opening Brief	October 5, 2018
Staff and Intervenors Reply Brief	October 19, 2018
PGE Final Brief	October 26, 2018
Oral Argument	November 2, 2018
Target Date for Commission Decision	December 14, 2018
Effective Date	January 1, 2019

Parties also agreed to amend data request response times: 1) The standard response to data requests will be 14 calendar days; and 2) after PGE files reply testimony on July 13 the response will be reduced to 7 calendar days.

² See UTCR 3.170(5); OAR 860-001-0320(3).

³ In accordance with ORS 756.525 a person may petition to intervene at any time before the close of the record. But because it is helpful if parties are identified early in the proceedings, the Commission requests that petitions to intervene be filed by the date identified above.


⁴ Workshop and Settlement conference dates are included in the schedule for the parties' convenience. The parties do not need Commission approval to reschedule workshops or settlement conferences.

⁵ First day of hearing will be set aside for Commission examination. The hearing will begin following Commission examination.

Net Variable Power Costs Schedule

EVENT	DATE
Company files April Update	March 30, 2018
Staff Workshop	April 17, 2018
Staff and Intervenors Opening Testimony	May 24, 2018
Settlement Conference/Workshop	June 12, 2018
PGE Reply Testimony	June 21, 2018
MONET Update	July 6, 2018
Staff and Intervenors Rebuttal Testimony	July 13, 2018
PGE Surrebuttal Testimony	July 20, 2018
Hearing	August 1, 2018
PGE Opening Brief	August 16, 2018
Staff and Intervenors Reply Briefs	August 31, 2018
PGE Rebuttal Brief	September 14, 2018
MONET Update	September 28, 2018
Target Date for Commission Decision	October 24, 2018
November MONET Update	November 6, 2018
Final Monet Update	November 15, 2018

Dated this 20th day of March, 2018, at Salem, Oregon.



Nolan Moser
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures

NOTICE OF CONTESTED CASE RIGHTS AND PROCEDURES

Oregon law requires state agencies to provide parties written notice of contested case rights and procedures. Under ORS 183.413, you are entitled to be informed of the following:

Hearing: The time and place of any hearing held in these proceedings will be noticed separately. The Commission will hold the hearing under its general authority set forth in ORS 756.040 and use procedures set forth in ORS 756.518 through 756.610 and OAR Chapter 860, Division 001. Copies of these statutes and rules may be accessed via the Commission's website at www.puc.state.or.us. The Commission will hear issues as identified by the parties.

Right to Attorney: As a party to these proceedings, you may be represented by counsel. Should you desire counsel but cannot afford one, legal aid may be able to assist you; parties are ordinarily represented by counsel. The Commission Staff, if participating as a party in the case, will be represented by the Department of Justice. Generally, once a hearing has begun, you will not be allowed to postpone the hearing to obtain counsel.

Administrative Law Judge: The Commission has delegated the authority to preside over hearings to Administrative Law Judges (ALJs). The scope of an ALJ's authority is defined in OAR 860-001-0090. The ALJs make evidentiary and other procedural rulings, analyze the contested issues, and present legal and policy recommendations to the Commission.

Hearing Rights: You have the right to respond to all issues identified and present evidence and witnesses on those issues. *See* OAR 860-001-0450 through OAR 860-001-0490. You may obtain discovery from other parties through depositions, subpoenas, and data requests. *See* ORS 756.538 and 756.543; OAR 860-001-0500 through 860-001-0540.

Evidence: Evidence is generally admissible if it is of a type relied upon by reasonable persons in the conduct of their serious affairs. *See* OAR 860-001-0450. Objections to the admissibility of evidence must be made at the time the evidence is offered. Objections are generally made on grounds that the evidence is unreliable, irrelevant, repetitious, or because its probative value is outweighed by the danger of unfair prejudice, confusion of the issues, or undue delay. The order of presenting evidence is determined by the ALJ. The burden of presenting evidence to support an allegation rests with the person raising the allegation. Generally, once a hearing is completed, the ALJ will not allow the introduction of additional evidence without good cause.

Record: The hearing will be recorded, either by a court reporter or by audio digital recording, to preserve the testimony and other evidence presented. Parties may contact the court reporter about ordering a transcript or request, if available, a copy of the audio recording from the Commission for a fee set forth in OAR 860-001-0060. The hearing record will be made part of the evidentiary record that serves as the basis for the Commission's decision and, if necessary, the record on any judicial appeal.

Final Order and Appeal: After the hearing, the ALJ will prepare a draft order resolving all issues and present it to the Commission. The draft order is not open to party comment. The Commission will make the final decision in the case and may adopt, modify, or reject the ALJ's recommendation. If you disagree with the Commission's decision, you may request reconsideration of the final order within 60 days from the date of service of the order. *See* ORS 756.561 and OAR 860-001-0720. You may also file a petition for review with the Court of Appeals within 60 days from the date of service of the order. *See* ORS 756.610.

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

In the Matter of
PUBLIC UTILITIES COMMISSION OF
OREGON,

Voluntary renewable Energy Tariffs for
Non-Residential Customers

DOCKET NO. UM-1690

AFFIDAVIT OF VICKI M. BALDWIN

STATE OF UTAH)
 :ss.
COUNTY OF SALT LAKE)

I, Vicki M. Baldwin, upon my oath state as follows:

1. I am a shareholder at Parsons Behle & Latimer, resident in its Salt Lake City office. I make this affidavit in support of my request to appear *pro hac vice* in the above-captioned matter. I have direct personal knowledge of each of the facts stated herein, and if called upon to testify, I could and would do so truthfully.

2. I certify that I am not subject to pending disciplinary proceedings in any jurisdiction.

3. I will associate with Brandon J. Mark, an attorney licensed to practice law in the State of Oregon, who will participate meaningfully in the above-referenced matter. Mr. Mark's contact information is below and he should be added to the Commission's Certificate of Service.

Brandon J. Mark, OSB #041613
PARSONS BEHLE & LATIMER
201 South Main Street, Suite 1800
Salt Lake City, Utah 84111
bmark@parsonsbehle.com
801-532-1234


4. I will comply with all applicable statutes, law and procedural rules of the State of Oregon.

5. I will notify the Commission promptly of any changes in insurance or status.

I declare that the foregoing is true and correct to the best of my knowledge.

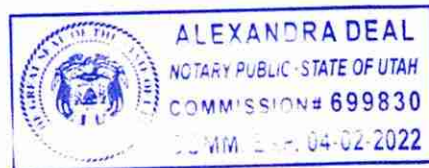
Executed under penalty of perjury under the laws of the State of Utah on this 19th day of April, 2018 at Salt Lake City, Utah.


Vicki M. Baldwin

SUBSCRIBED and SWORN to before me this 19th day of April, 2018.

NOTARY PUBLIC

My Commission Expires:
4/2/2022

Residing at:
Salt Lake County



CERTIFICATE OF SERVICE

Docket No. UE 1690

I hereby certify that on this 19th day of April, 2018, I caused to be served, a true and correct copy of the **MOTION FOR ADMISSION PRO HAC VICE** and the **AFFIDAVIT OF VICKI M. BALDWIN**, via electronic mail, to:

OREGON CITIZENS UTILITY BOARD

OREGON CITIZENS' UTILITY BOARD 610 SW BROADWAY, STE 400
PORTLAND OR 97205
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