



Portland General Electric Company
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V. Denise Saunders
Associate General Counsel

October 13, 2017

Via Electronic Filing

Public Utility Commission of Oregon
Filing Center
201 High St SE, Suite 100
PO Box 1088
Salem OR 97308-1088

Re: UM 1805 – Northwest and Intermountain Power Producers Coalition, Community Renewable Energy Association, and Renewable Energy Coalition, Complainants vs. Portland General Electric Company, Defendant

Attention Filing Center:

Enclosed is Portland General Electric Company's Response to Complainants' Motion to Set a Schedule for filing in Docket UM 1805.

Thank you for your assistance.

Sincerely,

A handwritten signature in blue ink that reads "V. Denise Saunders". The signature is written in a cursive, flowing style.

V. Denise Saunders
Associate General Counsel

VDS:bop

Enclosure

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UM 1805**

NORTHWEST AND INTERMOUNTAIN
POWER PRODUCERS COALITION;
COMMUNITY RENEWABLE ENERGY
ASSOCIATION and RENEWABLE
ENERGY COALITION,

Complainants,

vs.

PORTLAND GENERAL ELECTRIC
COMPANY,

Defendant.

**PORTLAND GENERAL ELECTRIC
COMPANY’S RESPONSE TO
COMPLAINANTS’ MOTION TO
SET A SCHEDULE**

Pursuant to OAR 860-001-0420(4), Portland General Electric Company (“PGE”) files this response to Complainants’ October 6, 2017 motion to set a schedule. PGE respectfully requests that the Public Utility Commission of Oregon (“Commission”) or its Administrative Law Judge (“ALJ”) adopt the following schedule:

- (1) Within three business days of any order or ruling granting or denying the NewSun Solar Projects’ (“Petitioners”) joint petition to intervene out of time, PGE must file its response to Complainants’ petition for clarification and application for rehearing or reconsideration; and
- (2) Within ten business days of any order or ruling granting Petitioners’ joint petition to intervene out of time, PGE’s must file its response to Petitioners’ joint motion for clarification and application for rehearing.
- (3) No replies to PGE’s responses are authorized unless and until the ALJ requests a reply pursuant to OAR 860-001-0720(4).

A. PGE’s Response to Complainants’ Petition for Clarification and Application for Rehearing or Reconsideration

The Commission’s decision whether to grant party status to Petitioners will materially affect PGE’s response to Complainants’ petition for clarification and application for rehearing or reconsideration. Providing PGE with three business days to address the impacts of the Commission’s decision as part of PGE’s response to Complainants’ request for clarification or reconsideration is necessary and reasonable.

This proposed schedule will also allow sufficient time for Complainants’ to file a reply to PGE’s response if the ALJ deems a reply necessary or useful and requests a reply. In order to avoid unnecessary filings and complexity in this docket, PGE suggests that the ALJ wait to review PGE’s response before determining whether to request a reply from either Complainants or Petitioners. The Commission’s rules prohibit replies with regard to requests for rehearing or reconsideration unless the reply is “requested by the ALJ.”¹ As a result, it makes sense for the ALJ to wait to review PGE’s response before determine whether a reply is warranted or necessary.

B. PGE’s Response to Petitioners’ Joint Motion for Clarification and Application for Rehearing or Reconsideration

Petitioners’ motion for clarification and application for rehearing or reconsideration consists of 35 pages of argument and 46 pages of attachments. Petitioners’ motion and application effectively seek a second opportunity to argue points already argued by Complainants as part of the extensively briefed summary judgment phase of this proceeding. Petitioners elected not to intervene in this proceeding at its early stages and now seek to intervene well after the final taking of evidence and well after the issuance of a final order in violation of the limitations of ORS 756.525 as interpreted by

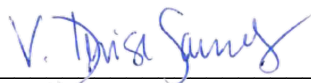
¹ OAR 860-001-0720(4).

the Commission in Order No. 08-016. PGE has strongly opposed Petitioners' improper request for party status and has been reluctant to expend the significant amount of time and resources needed to fully respond to Petitioners' arguments absent a ruling on Petitioners' status. Ten business days will provide PGE with adequate time to respond if the Commission decides to grant Petitioners' joint petition to intervene out of time. It will also allow sufficient time for Petitioners' to reply, if necessary. However, as discussed above, the ALJ should wait to review PGE's response before determining whether to request a reply from either Complainants or Petitioners.

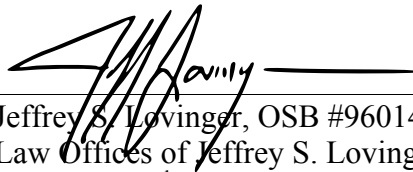
For the reasons set forth above, PGE respectfully requests that the Commission or the ALJ adopt a schedule consistent with that proposed by PGE.

Dated this 13th day of October 2017.

Respectfully submitted,



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