

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 1805

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| NORTHWEST AND INTERMOUNTAIN |) | |
| POWER PRODUCERS COALITION, |) | |
| COMMUNITY RENEWABLE ENERGY |) | |
| ASSOCIATION and RENEWABLE |) | |
| ENERGY COALITION, |) | COMPLAINANTS’ MOTION TO SET |
| |) | A SCHEDULE FOR PORTLAND |
| Complainants, |) | GENERAL ELECTRIC’S RESPONSE |
| |) | AND COMPLAINANTS’ REPLY |
| v. |) | |
| |) | |
| PORTLAND GENERAL ELECTRIC |) | |
| COMPANY, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

Northwest and Intermountain Power Producers Coalition (“NIPPC”), the Community Renewable Energy Association (“CREA”), and Renewable Energy Coalition (the “Coalition”) (collectively “Complainants”) request that Oregon Public Utility Commission (“Commission”) Administrative Law Judge (“ALJ”) Allan Arlow set a schedule for Portland General Electric Company (“PGE”) to respond to Complainants’ petition for clarification (“Complainants’ Clarification”) and rehearing or reconsideration (“Complainants’ Reconsideration”), and for Complainants to reply well before the Commission’s 60-day deadline to issue a final order on November 10, 2017.¹

Pursuant to OAR 860-01-0420, Complainants made a good faith effort to confer with the

¹ Because Complainants’ filings were made on September 11, 2017, the Commission has until November 10, 2017 to issue its final order. OAR 860-001-0720 (6).

other parties to set a procedural schedule. Importantly, PGE concedes that the ALJ has all of the facts and legal briefing necessary to set a schedule for its response to Complainants' Reconsideration. Although PGE is willing to file a response to Complainants' Reconsideration on October 16, 2017, it is not willing to respond to the filings made by NewSun Projects until the ALJ rules on the NewSun Projects' Petition to Intervene. This means that PGE is not willing to fully respond to Complainants' Reconsideration, because Complainants incorporated by reference all of the arguments made by the NewSun Projects in their separate motion.² This is important because any further delay impedes upon the Commission's 60-day deadline to issue a final order.

The outcome of NewSun Projects' Petition to Intervene has no relevance on PGE's response to Complainants' Reconsideration. On September 11, 2017, Complainants made two separate and independent filings to: 1) clarify a point of confusion regarding its Order No. 17-256 (asking the Commission to explain its decision); and 2) reconsider or rehear its decision in Order No. 17-256 (asking the Commission to change its decision). By Commission rule, PGE is allowed, but not required, to file a response to the Complainants' Clarification and Complainants' Reconsideration within 15 days, which in this case would have been by September 26, 2017.³ On September 19, 2017, PGE requested a stay of its responses pending resolution of NewSun Solar Projects' Petition to Intervene. On September 20, 2017, ALJ Arlow issued a Ruling temporarily staying PGE's response deadlines, noting that the Commission

² NewSun Solar Projects' Joint Motion for Clarification and Application for Rehearing or Reconsideration was filed on September 8, 2017.

³ OAR 860-001-0720 (4).

might provide additional guidance in this docket at the September 26, 2017 Public Meeting.⁴ The Commission did not provide any such additional guidance at that Public Meeting. Now PGE, New Sun Solar Projects, and Complainants all agree that the ALJ has all of the facts and legal briefing necessary to set a schedule for PGE's response to Complainants' Clarification and Complainants' Reconsideration.

Thus, Complainants respectfully request that ALJ Arlow establish a deadline for PGE to fully respond to Complainants' Clarification and Complainants' Reconsideration—including the arguments that were incorporated by reference—and permit Complainants to file a reply well in advance of the Commission's 60-day deadline to issue a final order on November 10, 2017.

Dated this 6th day of October 2017.

Respectfully submitted,



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⁴ Ruling at 2 (Sept. 20, 2017).