



# Oregon

Kate Brown, Governor

**Public Utility Commission**

201 High St SE Suite 100

Salem, OR 97301-3398

**Mailing Address: PO Box**

1088

Salem, OR 97308-1088

503-373-7394

July 13, 2018

Becky Rife  
Administrative Assistant 1 - Appellate Division  
Civil and Administrative Appeals  
Oregon Department of Justice  
1162 Court Street NE  
Salem, Oregon 97301



---

## IN THE COURT OF APPEALS OF THE STATE OF OREGON

PORTLAND GENERAL ELECTRIC  
COMPANY,

Petitioner,

v.

NORTHWEST AND INTERMOUNTAIN  
POWER PRODUCERS COALITION,  
COMMUNITY RENEWABLE ENERGY  
ASSOCIATION, RENEWABLE  
ENERGY COALITION, and THE  
PUBLIC UTILITY COMMISSION OF  
OREGON,

Respondents.

TRANSMITTAL OF SHORTENED  
RECORD AND CERTIFICATE

Appellate Court No. A167707

Agency Case No. UM 1805

---

I am enclosing an original and three copies of the shortened record for Appellate Court No. CA A167707. A complete record is contained in each box.

Please call me if you need further assistance.

PUBLIC UTILITY COMMISSION OF OREGON

Cheryl Walker, Administrative Specialist 2  
Administrative Hearings Division  
(503) 378-2849

**IN THE COURT OF APPEALS OF THE STATE OF OREGON**

PORTLAND GENERAL ELECTRIC  
COMPANY,

Petitioner,

v.

NORTHWEST AND INTERMOUNTAIN  
POWER PRODUCERS COALITION,  
COMMUNITY RENEWABLE ENERGY  
ASSOCIATION, RENEWABLE  
ENERGY COALITION, and THE  
PUBLIC UTILITY COMMISSION OF  
OREGON,

Respondents.

TRANSMITTAL OF SHORTENED  
RECORD AND CERTIFICATE

Appellate Court No. A167707

Agency Case No. UM 1805

I, Cheryl Walker, Administrative Specialist 2, Public Utility Commission of Oregon, pursuant to ORS 183.482(4), list below and transmit herewith the original of the shortened record (UM 1805) under review in the above proceedings, except that wherein a copy of any document or paper is filed herein, I hereby certify that I have compared the copy with the original and that it is a true and correct copy of the original and the whole thereof.

<b><u>VOLUME I</u></b>		
<b><u>Item</u></b>	<b><u>Description</u></b>	<b><u>Page</u></b>
1	Order No. 18-079, signed by Commissioners Lisa D. Hardie, Stephen M. Bloom, and Megan W. Decker; DISPOSITION: APPLICATIONS DENIED. Entered 3/5/18.	2125-2132
2	PGE's Motion To Waive OAR 860-001-0720(4) together with Response to Complainants' Motion to Strike. Dated 2/14/18.	2112-2124
3	PGE's Response to Complainants' Motion to Strike and Motion To Waive OAR 860-001-0720(4). Dated 2/14/18.	2099-2111
4	NORTHWEST AND INTERMOUNTAIN POWER PRODUCERS COALITION, COMMUNITY RENEWABLE ENERGY ASSOCIATION and RENEWABLE ENERGY COALITION'S MOTION TO STRIKE. Dated 2/8/18.	2091-2098
5	PGE's Response to Bench Requested Dated February 5, 2018. Dated 2/7/18.	1884-2090

6	PGE's Reply in Support of Application for Rehearing or Reconsideration and Application to Rescind, Suspend or Amend Order No. 17-465. Dated 2/5/18.	1866-1883
7	ALJ Allan J. Arlow issues Bench Request. Dated 2/5/18.	1861-1865
8	COMPLAINANTS' Response to PGE's Application For Rehearing or Reconsideration and Application to Amend Order No. 17-465. Dated 1/29/18.	1836-1860
9	PGE's Errata to page 5 of its January 12, 2018, Application for Rehearing or Reconsideration. Dated 1/16/18.	1815-1835
10	PGE's Application for Rehearing or Reconsideration and Application to Amend Order No. 17-465. Dated 1/12/18.	1797-1814
11	Order No. 17-465, signed by Commissioners Lisa D. Hardie, Stephen M. Bloom, and Megan W. Decker; DISPOSITION: PETITION TO AMEND ORDER NO. 17-256 GRANTED; APPLICATION FOR REHEARING OR RECONSIDERATION DENIED. Entered 11/13/17.	1788-1796
12	PGE's Response in Opposition to Complainant's Petition for Clarification and Application for Rehearing or Reconsideration of Order No. 17-256. Dated 10/24/17.	1746-1787
13	ALJ Allan J. Arlow issues Ruling; DISPOSITION: MOTION FOR LEAVE TO FILE SUR-REPLY AND SUR-REPLY DISMISSED AS MOOT. Dated 10/17/17.	1741-1745
14	Order No. 17-418, signed by Commissioners Lisa D. Hardie, Stephen M. Bloom, and Megan W. Decker; DISPOSITION: PETITION TO INTERVENE DENIED; APPLICATION STRICKEN. Entered 10/16/17.	1734-1740
15	PGE's Motion For Leave to File Sur-Reply and Surreply to Petitioners' Reply in Support of Joint Petition. Dated 10/16/17.	1721-1733
<b><u>VOLUME II</u></b>		
16	PGE's Response to Complainants' Motion to Set a Schedule. Dated 10/13/17.	1713-1720
17	ALJ Allan J. Arlow issues Ruling; DISPOSITION: QUESTIONS CERTIFIED TO THE COMMISSION. Dated 10/12/17.	1708-1712
18	Petitioners'* (NEWSUN SOLAR PROJECTS') Response to Motion to Set Schedule. (*NOTE: See Order No. 17-418, entered 10/16/17.) Dated 10/9/17.	1699-1707
19	COMPLAINANTS' Motion to Set a Schedule for PGE's Response and Complainants' Reply. Dated 10/6/17.	1692-1698
20	Petitioners'* (NEWSUN SOLAR PROJECTS') Joint Reply to PGE's Objection to Joint Petition to Intervene. (*NOTE: See Order No. 17-418, entered 10/16/17.) Dated 10/2/17.	1668-1691

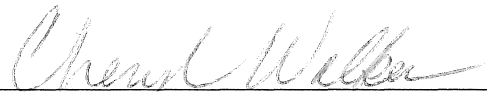
21	Order No. 17-373, signed by Commissioners Lisa D. Hardie, Stephen M. Bloom, and Megan W. Decker; DISPOSITION: STAFF'S RECOMMENDATION ADOPTED. Entered 9/28/17.	1657-1667
22	ALJ Allan J. Arlow issues Ruling; DISPOSITION: EXTENSION OF TIME TO FILE REPLY GRANTED. Dated 9/27/17.	1652-1656
23	Petitioners'* (NEWSUN SOLAR PROJECTS') Expedited Joint Motion For Extension of Time to File Reply to PGE's Objection to Joint Petition to Intervene. (*NOTE: See Order No. 17-418, entered 10/16/17.) Dated 9/27/17.	1645-1651
24	ALJ Allan J. Arlow issues Erratum; DISPOSITION: ERRATUM ISSUED; PETITION TO INTERVENE STILL PENDING CONSIDERATION. Dated 9/26/17.	1640-1644
25	NIPPC, CREA and Coalition Letter re PGE's Compliance Filing. Dated 9/25/17.	1630-1639
26	Staff Report for the September 26, 2017 Public Meeting, Item No. 4. Dated 9/22/17.	1620-1629
27	ALJ Allan J. Arlow issues Ruling; DISPOSITION: RESPONSIVE PLEADINGS STAYED. Dated 9/20/17.	1614-1619
28	Complainants' Response to PGE's Expedited Request For A Stay. Dated 9/20/17.	1604-1613
29	Petitioners'* (NEWSUN SOLAR PROJECTS') Joint Response To PGE's Expedited Request For Stay. (*NOTE: See Order No. 17-418, entered 10/16/17.) Dated 9/20/17.	1596-1603
30	PGE's Request to Stay response to Petitioners' Joint Motion for Clarification and Application for Rehearing or Reconsideration and Complainant's Petition for Clarification and Application for Rehearing or Reconsideration until Petitioners' Joint Petition to Intervene Out of Time is Resolved. Dated 9/19/17.	1586-1595
31	PGE's Objection to Joint Petition to Intervene Out of Time. Dated 9/18/17.	1561-1585
32	Order No. 17-346, signed by Commissioners Lisa D. Hardie, Stephen M. Bloom, and Megan W. Decker; DISPOSITION: STAFF'S RECOMMENDATION ADOPTED. Entered 9/14/17.	1554-1560
33	PGE's Response to NIPPC Comments. Dated 9/11/17.	1546-1553
34	Complainants' Petition for Clarification and Application for Rehearing or Reconsideration. Dated 9/11/17.	1529-1545
35	Complainants' comments. Dated 9/11/17.	1516-1528
36	Petitioners'* (NEWSUN SOLAR PROJECTS') Joint Motion for Clarification and Application for Rehearing or Reconsideration. (*NOTE: See Order No. 17-418, entered 10/16/17.) Dated 9/8/17.	1428-1515

<b><u>VOLUME III</u></b>		
37	Petitioners'* (NEWSUN SOLAR PROJECTS') Joint Petition to Intervene Out of Time and Attachments. (*NOTE: See Order No. 17-418, entered 10/16/17.) Dated 9/8/17.	1114-1427
38	Staff Report for the September 12, 2017 Public Meeting (Item No. 2). Dated 9/7/17.	1112-1113
<b><u>VOLUME IV</u></b>		
39	PGE Compliance Filing (Schedule 201) in compliance with Order No. 17-256. Dated 7/20/17.	718-1111
<b><u>VOLUME V</u></b>		
40	Order No. 17-256 signed by Commissioners Lisa D. Hardie, Stephen M. Bloom, and Megan W. Decker; Disposition: Motion for Summary Judgment Granted; Order No. 05-584 Clarified. Entered 7/13/17. (ALSO SEE Order No. 17-465 entered 11/13/17, amending Order No. 17-256.)	710-717
41	PGE's Response to Complainants' Motion for Official Notice. Dated 6/14/17.	703-709
42	NIPPC's, CREA's, and The Coalition's Joint Motion for Official Notice. Dated 5/30/17.	678-702
43	NIPPC's, CREA's, and The Coalition's Joint Reply to PGE's Response in Opposition. Dated 5/15/17.	668-677
44	PGE's Reply to Complainants' Response in Opposition to PGE's Motion for Summary Judgment. Dated 5/15/17.	651-667
45	RENEWABLE NW's Reply to PGE's Motion for Summary Judgment. Dated 5/15/17.	655-660
46	NIPPC, CREA, and THE COALITION's Response to PGE's Motion for Summary Judgment. Dated 5/8/17.	498-654
47	PGE's Response in Opposition to Complainant's Motion for Summary Judgment. Dated 5/8/17.	477-497
<b><u>VOLUME VI</u></b>		
48	PGE's Motion for Summary Judgment, with Declaration of Shawn Davis in Support. Dated 4/24/17.	266-476
49	NIPPC's, CREA's, and The Coalition's Motion for Summary Judgment. Dated 4/24/17.	231-265
50	PGE's Answer. Dated 3/28/17.	214-230
51	ALJ Allan J. Arlow issues Conference Memorandum and Ruling; DISPOSITION: PROCEDURAL SCHEDULE ADOPTED. Dated 3/22/17.	209-213
52	PGE's, NIPPC's, CREA's, and The Coalition's Joint Statement. Dated 3/10/17.	174-208
53	ALJ Allan J. Arlow's Conference Memorandum; Statements of Facts and Issues due March 10, 2017. Dated 3/3/17.	170-173

54	PGE's Reply to NIPPC's, CREA's, & The Coalition's Response to PGE's Motions to Strike, Make More Definite and Certain, Requesting More Time. Dated 1/31/17.	164-169
55	NIPPC's, CREA's, and the Coalition's Joint Response to PGE's Motion to Strike, Motion to Make More Definite and Certain, and Requesting More Time. Dated 1/24/17.	140-163
56	ALJ Allan J. Arlow's Ruling; DECLARATORY RULING PROCEDURE REJECTED AS VIOLATION OF STATUTE; COMPLAINANTS TO RESPOND TO PENDING MOTIONS. Copies served 1/19/17.	131-139
57	PGE's Comments and Recommendations Regarding the Appropriateness of Addressing the issues raised in the Complaint through a Declaratory Ruling. Dated 1/5/17.	118-130
58	STAFF's Comments on Declaratory Ruling Option. Dated 12/30/16.	107-117
59	NIPPC's, CREA's, and The Coalition's Joint Comments on Declaratory Ruling Option. Dated 12/29/16.	95-106
60	ALJ Allan J. Arlow issues Prehearing Conference Memorandum; Notice of Contested Case Rights pursuant to ORS 183.413 attached. Dated 12/22/16.	88-94
61	RENEWABLE NORTHWEST's Petition to Intervene, with contacts of Silvia Tanner, Renewable NW Dockets, and Dina Dubson Kelley. Dated 12/21/16.	82-87
62	PGE's Corrected Motion to Strike, and Motion to Make More Definite and Certain, and Motion Requesting More Time to Respond. Dated 12/19/16.	64-81
63	PGE's Motion to Make More Definite and Certain. Dated 12/16/16.	46-63
64	PGE's Motion to Strike, and Motion to Make More Definite and Certain, and Motion Requesting More Time to Respond. Dated 12/16/16.	28-45
65	Administrative Specialist's e-mail correspondence to PORTLAND GENERAL ELECTRIC COMPANY, serving NORTHWEST AND INTERMOUNTAIN POWER PRODUCERS COALITION's, COMMUNITY RENEWABLE ENERGY ASSOCIATION's, and RENEWABLE ENERGY COALITION's complaint filed on 12/6/16. Service/Acknowledgement letter electronically served 12/6/16. Notice of Contested Case Rights and Procedures provided to parties 12/6/16. Dated 12/6/16.	20-27
66	UM 1805 - In the Matter of the Complaint of NORTHWEST AND INTERMOUNTAIN POWER PRODUCERS COALITION, COMMUNITY RENEWABLE ENERGY ASSOCIATION, and RENEWABLE ENERGY COALITION against PORTLAND GENERAL ELECTRIC COMPANY, Pursuant to ORS 756.500. Dated 12/6/16.	1-19

<b>TRANSCRIPTS</b>		
67	Transcript of September 26, 2017 Public Meeting, Item No. 4	Separate cover
68	Transcript of September 12, 2017 Public Meeting, Item No. 2	Separate cover
69	Transcript of March 20, 2017 Telephone Conference	Separate cover
70	Transcript of March 3, 2017 Telephone Conference	Separate cover
71	Transcript of December 22, 2016 Expedited Prehearing Conference	Separate cover

Dated at Salem, Oregon, this 13<sup>th</sup> day of July, 2018.




---

Name: Cheryl Walker  
Title: Administrative Specialist 2  
Agency: Public Utility Commission of Oregon

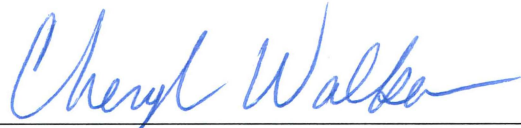
---

CERTIFICATE

STATE OF OREGON     )  
                                  )  
County of MARION     )

I hereby certify that the foregoing Transmittal of Shortened Record Under Review and Certificate for UM 1805 is a true and correct copy of the original and of the whole thereof.

Dated at Salem, Oregon, this 13<sup>th</sup> day of July, 2018.



---

Name: Cheryl Walker  
Title: Administrative Specialist 2  
Agency: Public Utility Commission of Oregon

---