

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 319

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,

Request for a General Rate Revision.

PREHEARING CONFERENCE
MEMORANDUM

On March 10, 2017, the Public Utility Commission of Oregon held a prehearing conference in this docket. Representatives appeared on behalf of Portland General Electric Company; Oregon Citizens' Utility Board (CUB); Industrial Customers of Northwest Utilities (ICNU); the Kroger Co.; and Commission Staff.

Petitions to Intervene

On February 24, 2017, ICNU filed a petition to intervene in this docket. The period for objections having passed, we granted the petition to intervene. We noted that CUB has filed its notice of intervention, and that PacifiCorp has filed a petition to intervene that will be addressed after the period for objections has passed.

Procedural Schedule

The parties agreed to the following procedural schedules, which are adopted:

General Rate Case Schedule

EVENT	DATE
Deadline to file Petitions to Intervene ¹	April 7, 2017
Deadline to file proposed Budgets for Intervenor Funding	April 28, 2017
Staff Workshop	May 5, 2017
Staff and Intervenors file Opening Testimony	June 16, 2017
Settlement Conferences	July 6-7, 2017
PGE files Reply Testimony	July 18, 2017
Settlement Conferences	August 3-4, 2017
Staff and Intervenors file Cross-Answering and Rebuttal Testimony	August 17, 2017

¹ 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.

PGE files Surrebuttal Testimony	September 5, 2017
All parties file Joint Issues List; Cross-examination Statements; and Exhibit Lists	September 12, 2017
Hearing	September 15, 2017
PGE files Opening Brief	September 29, 2017
Staff and Intervenors file Reply Briefs	October 12, 2017
PGE files Final Brief	October 20, 2017
Oral Argument (tentative)	October 24, 2017
Target date for Commission Decision	December 21, 2017
Effective date	January 1, 2018

Parties also agreed to amend data request response times: 1) reduced to seven days after PGE files reply testimony on July 18, 2017; and 2) reduced to five days after Staff and intervenors file cross-answering and rebuttal testimony on August 17, 2017.

Net Variable Power Costs Schedule

EVENT	DATE
PGE files MONET Update	March 31, 2017
Staff Workshop	May 5, 2017
Staff and Intervenors file Opening Testimony	June 2, 2017
Second Staff Workshop/Settlement Conference	June 15, 2017
PGE files Reply Testimony	June 26, 2017
PGE files MONET Update	July 10, 2017
Staff and Intervenors file Cross-Answering and Rebuttal Testimony	July 14, 2017
PGE files Surrebuttal Testimony	July 28, 2017
Hearing	August 1, 2017
PGE files Opening Brief	August 16, 2017
Staff and Intervenors file Reply Briefs	September 1, 2017
PGE files Final Brief	September 15, 2017
PGE files MONET Update	September 29, 2017
Target date for Commission Decision	October 24, 2017
PGE files MONET Update	November 6, 2017
PGE files Final MONET Update	November 15, 2017

Parties also agreed to amend data request response times: 1) reduced to seven days after Staff and intervenors file opening testimony on June 2, 2017.

Parties are reminded that attorneys not licensed in Oregon wanting to appear before the Commission in this docket must file an application for admission to appear *pro hac vice*.²

² See UTCR 3.170; OAR 860-001-0320.

Huddle Access

As a means to facilitate the expeditious resolution of discovery disputes and to monitor discovery, the Commissioners and Chief Administrative Law Judge recommended that the presiding administrative law judges be provided with Huddle access to data requests and responses. At the prehearing conference, Staff and the parties expressed concerns about the administrative law judges having such access.

Upon further discussions with Commissioners and the Chief Administrative Law Judge, we have determined that administrative law judge Huddle access will be configured to be limited to only data requests, with no access to data responses.

Dated this 15th day of March, 2017, at Salem, Oregon.



Traci A. G. Kirkpatrick
Administrative Law Judge



Ruth Harper
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.