

H  
CABLE HUSTON<sub>LLP</sub>

CHAD M. STOKES  
ADMITTED IN OREGON AND WASHINGTON

cstokes@cablehuston.com  
www.cablehuston.com

August 2, 2017

**VIA ELECTRONIC FILING**

ALJ Sarah Rowe  
Oregon Public Utility Commission  
201 High St SE, Suite 100  
Salem, OR 97301

Re: UM 1823 - *Columbia Basin Electric Cooperative, Inc. vs. Umatilla Electric Cooperative*; Notice of Dismissal

Dear ALJ Rowe:

Umatilla Electric Cooperative (“UEC”) provides this response to the Notice of Dismissal submitted by Columbia Basin Electric Cooperative, Inc. (“CBEC”) in this docket.

CBEC filed its Complaint in this case against UEC, alleging that UEC violated various of its rights under Oregon’s territorial allocation law, ORS 758.400 *et seq.* Now, CBEC has apparently negotiated a settlement with a third party - Wheatridge Wind Energy, LLC - that purportedly “resolves Columbia Basin’s claims and preserves the current service-territory boundary between Columbia Basin and Umatilla.” CBEC Notice of Dismissal p.1.

The issue in this case is whether Oregon’s territory allocation laws apply to facilities providing interstate wholesale transmission service and not retail service. UEC is not a party to the settlement and fundamentally disagrees with CBEC’s assertion that Oregon’s territorial allocation laws are relevant to the transmission line at issue in this proceeding.

The Commission should answer the territorial allocation law issue raised in this docket to provide clarity to utilities like UEC. UEC objects to the notice of dismissal because it will leave this important question unanswered, future projects will be delayed, and utilities like UEC will be subjected to unnecessary litigation.

Very truly yours,



Chad M. Stokes

CMS:lms