



ALISHA TILL  
Direct (503) 290-3628  
alisha@mrg-law.com

June 24, 2020

**VIA ELECTRONIC FILING**

Attention: Filing Center  
Public Utility Commission of Oregon  
201 High Street SE, Suite 100  
P.O. Box 1088  
Salem, Oregon 97308-1088

**Re: Docket UM 1829, Phase II – In the Matter of Blue Marmots, LLC vs Portland  
General Electric Company**

Attention Filing Center:

Attached for filing in the above-captioned docket is the Parties' Joint Stipulated Motion to Dismiss.

Please contact this office with any questions.

Sincerely,

Alisha Till  
Paralegal

Attachment

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UM 1829 – PHASE II**

Blue Marmot V LLC  
Blue Marmot VI LLC  
Blue Marmot VII LLC  
Blue Marmot VIII LLC  
Blue Marmot IX LLC,  
Complainants,

v.

Portland General Electric Company,  
Defendant.

**JOINT STIPULATED  
MOTION TO DISMISS**

1           Defendant Portland General Electric Company (PGE or Company) and the above-  
2 captioned Complainants Blue Marmots LLCs (collectively the Blue Marmots) jointly move the  
3 Public Utility Commission of Oregon (Commission) to dismiss with prejudice all claims raised in  
4 Phase II of this docket. The Commission opened Phase II to determine whether the Blue Marmots’  
5 Commercial Operation Dates (CODs) should be extended and if so, what new dates should be  
6 included in their final executable power purchase agreements (PPAs).<sup>1</sup> The parties have reached  
7 settlement as to the appropriate CODs for the projects, which will be incorporated into the PPAs  
8 the Commission ordered PGE to provide to the Blue Marmots.<sup>2</sup> Therefore, PGE and the Blue  
9 Marmots request that the Commission dismiss all Phase II claims with prejudice and close this  
10 docket.<sup>3</sup>

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<sup>1</sup> Order No. 19-322 at 20 (Sept. 30, 2019) (ordering a “full evidentiary proceeding” to consider the Blue Marmots’ request for extend their CODs); Blue Marmots’ Motion for Prehearing Conference (Nov. 26, 2019) (requesting that Phase II be initiated to consider COD extension); Parties’ Joint Issues List at (Jan. 2, 2020); ALJ Ruling (Jan. 31, 2020) (finding that Blue Marmots’ Motion for Prehearing Conference asserted their COD-extension claim, adopting Joint Issues List as scope of further proceedings, and determining that further proceedings should occur in Phase II).

<sup>2</sup> Order No. 19-322 at 20-21.

<sup>3</sup> Dockets UM 1829, 1830, 1831, 1832, and 1833 were consolidated with UM 1829 as the lead docket. The claims in all five dockets should be dismissed, and all five dockets should be closed.

Respectfully submitted this 24<sup>th</sup> day of June 2020.

**MCDOWELL RACKNER GIBSON PC**



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Lisa F. Rackner  
Jordan R. Schoonover  
419 SW 11<sup>th</sup> Avenue, Suite 400  
Portland, Oregon 97205  
Telephone: (503) 595-3925  
Facsimile: (503) 595-3928  
dockets@mrg-law.com

**PORTLAND GENERAL ELECTRIC COMPANY**

Donald J. Light  
Assistant General Counsel  
121 SW Salmon Street, 1WTC1301  
Portland, Oregon 97204  
Telephone: (503) 464-8315  
donald.light@pgn.com

Attorneys for Portland General Electric Company

**SANGER LAW, PC**

*/s/ Irion Sanger*

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Irion A. Sanger  
Joni L. Sliger  
Sanger Law, PC  
1041 SE 58<sup>th</sup> Place  
Portland, OR 97215  
Telephone: 503-756-7533  
Fax: 503-334-2235  
irion@sanger-law.com

Of Attorneys for Blue Marmot V, LLC, Blue  
Marmot VI, LLC, Blue Marmot VII, LLC, Blue  
Marmot VIII, LLC, and Blue Marmot IX, LLC