

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UM 1837**

In the Matter of)	
)	
PUBLIC UTILITY COMMISSION OF)	MOTION TO AMEND THE
OREGON,)	PROCEDURAL SCHEDULE
)	
Investigation into the Treatment of New)	
Facility Direct Access Load.)	
)	
_____)	

The Oregon Citizens’ Utility Board (“CUB”) hereby requests an amendment to the procedural schedule in this docket. Pursuant to the current schedule, parties have filed two briefs to address whether, in the absence of legislation, the Oregon Public Utility Commission (“Commission”) has the legal authority to eliminate transition adjustments for commercial customers that are new to the utility’s system. While most parties believe the authority exists, CUB maintains that the proposed action is not legally permissible because the Commission cannot authorize discrimination or preferential treatment within a customer class.

Under the current schedule, parties are to conduct a workshop to scope policy issues and discuss *how* the Commission will eliminate transition adjustments for some customers. However, CUB sees the issue of *whether* the Commission has the legal authority to eliminate transition adjustments as a threshold issue that should be resolved as quickly as possible.

Accordingly, CUB requests the Commission make a legal determination as soon as possible to provide parties clarity on the Commission's authority to take any action in this docket. Based on conversations with the parties, CUB expects a forthcoming motion to amend the procedural schedule from Staff. CUB believes the proposed extended timeframe should give the Commission the additional time needed to make a legal determination in this matter.

Dated this 18th day of October, 2017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Elizabeth Jones", with a long, sweeping flourish extending to the right.

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