

From: [MENZA Candice](#)
To: [WALKER Cheryl](#)
Subject: FW: OPUC Docket UM 1877-UM 1882, UM 1884-UM 1886, UM 1888-UM 1890 -- Notice of Filing
Date: Tuesday, October 23, 2018 2:03:16 PM

From: Jeff Lovinger <jeff@lovingerlaw.com>
Sent: Tuesday, October 23, 2018 2:02 PM
To: ARLOW Allan <aarlow@puc.state.or.us>
Cc: ANDRUS Stephanie <Stephanie.ANDRUS@state.or.us>; marie@sanger-law.com;
steve@sabalsolar.com; Donald Light <donald.light@pgn.com>; jhluster13@gmail.com;
norqual@ccrenew.com; barbara.parr@pgn.com; Irion A. Sanger <irion@sanger-law.com>; JONES
Jason W <Jason.W.JONES@state.or.us>; MENZA Candice <cjmenza@puc.state.or.us>
Subject: Re: OPUC Docket UM 1877-UM 1882, UM 1884-UM 1886, UM 1888-UM 1890 -- Notice of Filing

Judge Arlow:

On October 22, 2018, Complainants filed a “Notice of Dismissal Without Prejudice” in the 12 above-captioned proceedings. The October 22 filing is effectively a motion to allow Complainants to withdraw or dismiss the complaints without prejudice. PGE was not aware of this motion until after the document was filed and PGE was served. PGE questions the reasonableness and equity of allowing a voluntary withdrawal without prejudice at this late stage in the proceedings, when cross motions for summary judgment have been pending for several months and the Commission has denied Complainants’ motion for leave to amend the complaints.

PGE will likely oppose the October 22 submission, but has not yet had time to consider it fully.

PGE respectfully requests confirmation:

(1) that the Commission or its ALJ will not grant Complainants’ October 22, 2018 submission and dismiss the cases without prejudice until PGE has an opportunity to respond; and
(2) that under OAR 860-001-0420(4), PGE has 15 days (i.e., until November 6, 2018) to file a response to the October 22, 2018 submission.

Thank you,

Jeff Lovinger
Of Attorneys for PGE

Jeffrey S. Lovinger
Law Offices of Jeffrey S. Lovinger
2000 NE 42nd Avenue, Suite 131
Portland, OR 97213-1397
(503) 230-7120 (office)
(503) 709-9549 (cell)
jeff@lovingerlaw.com

THIS COMMUNICATION MAY CONTAIN CONFIDENTIAL INFORMATION AND MAY BE SUBJECT TO ATTORNEY-CLIENT PRIVILEGE, THE ATTORNEY WORK PRODUCT DOCTRINE, THE JOINT DEFENSE PRIVILEGE, AND/OR OTHER PRIVILEGES. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

On Oct 22, 2018, at 2:03 PM, MENZA Candice <candice.menza@state.or.us> wrote:

Docket Name: BOTTLENOSE SOLAR LLC VS PORTLAND GENERAL ELECTRIC COMPANY

Description: UM 1877-UM 1882, UM 1884-UM 1886, UM 1888-UM 1890 -

Complainant's Notice of Dismissal without Prejudice. Filed by Irion Sanger.

Use the link below to view this document:

<http://edocs.puc.state.or.us/efdocs/HNA/um1877hna1421.pdf>

If you no longer wish to receive notifications in this docket, please contact the Administrative Hearings Division Support Unit at puc.hearings@state.or.us or (503)-378-6678

*****Please use caution when opening links, attachments or responding to this email as it originated outside of PUC.*****