

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1897

In the Matter of

HYDRO ONE LIMITED,

Application for Authorization to Exercise
Substantial Influence over the Policies and
Actions of AVISTA CORPORATION.

PREHEARING CONFERENCE
MEMORANDUM

On October 4, 2017, the Public Utility Commission of Oregon held a prehearing conference in this docket. Representatives appeared on behalf of Hydro One, Avista Corporation, the Commission Staff, CUB, and the Northwest Industrial Gas Users (NWIGU).

Petitions to Intervene

Prior to the conference, petitions to intervene were filed by NWIGU and the Laborers' International Union of North America (LiUNA) (in conjunction with its affiliated District Council, and Local Unions serving or located in Oregon). No party objected to the petitions. I find that NWIGU and LiUNA have sufficient interest in the proceedings to participate and that their participation will not unreasonably broaden the issues, burden the record, or delay the proceedings.¹ The petitions to intervene are therefore granted. In addition, CUB filed its notice of intervention on September 20, 2017, as allowed under ORS 774.180.

Procedural Schedule

The parties agreed to the following procedural schedule, which was adopted:

| Activity | Date |
|--|------------------------------|
| Company Filing | Thursday, September 14, 2017 |
| Prehearing Conference | Wednesday, October 4, 2017 |
| Proposed Budgets for Intervenor Funding | Monday, November 6, 2017 |
| Telephone Work Session for Parties (morning) | Wednesday, November 8, 2017 |

¹ See OAR 860-001-0300(6).

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| Staff & Intervenor Reply Testimony | Monday, February 12, 2018 |
| Commissioner Workshop (tentative) | Monday, February 26, 2018 |
| Settlement Conference | Thursday, March 15, 2018 |
| Company Rebuttal Testimony | Thursday, March 29, 2018 |
| Settlement Conference II | Thursday, April 12, 2018 |
| Staff & Intervenor Surrebuttal Testimony | Wednesday, May 9, 2018 |
| Company Sursurrebuttal Testimony | Wednesday, May 23, 2018 |
| All-Parties Cross-Examination Statements and Exhibits | Tuesday, June 5, 2018 |
| Hearing | Thursday, June 14, 2018 and Friday, June 15, 2018 |
| Simultaneous Opening Briefs | Thursday, July 12, 2018 |
| Simultaneous Reply Briefs | Friday, August 10, 2018 |
| Oral Argument (if requested) | Tuesday, August 21, 2018 |
| Target Date for Commission Decision | Friday, September 14, 2018 |
| Amended Data Request Response Times | |
| Time Period | Number of calendar days |
| Beginning October 4, 2017 | 14 days |
| Beginning March 29, 2018 | 7 days |

On September 28, 2017, Hydro One filed a motion to admit Elizabeth Thomas and Kari Vander Stoep, members in good standing of the Washington Bar, as counsel pro hac vice in this proceeding. I grant the motion. Parties are reminded that other 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

Dated this 6th day of October, 2017, at Salem, Oregon.

Patrick Power
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures

² See UTCR 3.170, OAR 860-001-0320.

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.