



# Oregon Citizens' Utility Board

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October 5, 2022

Via Electronic Filing

Nolan Moser  
Chief Administrative Law Judge  
Public Utility Commission of Oregon  
201 High Street SE, Suite 100  
Salem, OR 97301-3398  
[puc.filingcenter@puc.oregon.gov](mailto:puc.filingcenter@puc.oregon.gov)

**RE: UM 1908 – CUB Comments on Proposed Procedural Schedule**

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Dear Judge Nolan Moser:

The Oregon Citizens' Utility Board (CUB) previously intervened in this docket and expects to participate in the contested proceeding. Unfortunately the parties have not been able to agree to a procedural schedule, so CUB submits this letter to offer our recommendations for the procedural schedule.

Lumen Technologies (Lumen) raised several legal issues in its Request for Hearing and CUB believes further information is necessary to understand the specific nature of Lumen's claims. Accordingly, we do not believe, as Lumen proposes, that it would be helpful for Intervenors and Staff to file testimony prior to Lumen.

**We believe that the procedural schedule as proposed by your Honor is sufficient for this proceeding.** However, if your Honor is persuaded by Lumen's argument that Intervenors and Staff file the first round of testimony, CUB recommends that the schedule begin with one simultaneous round of testimony, followed by expedited discovery thereafter. Rather than having the second round of testimony, schedule a prehearing brief to frame legal issues, and have one round of post-hearing briefs before the Commission decision. We provide an alternative schedule below:

EVENT	DATE
Prehearing Conference	October 5, 2022, 10 a.m.
Interventions Requested	October 11, 2022
Lumen, Staff, and Intervenors File Simultaneous Testimony	October 27, 2022

All Parties File Pre-Hearing Briefs	November 10, 2022
Hearing	November 21, 2022, 9:30 a.m.
Hearing (Day 2, if needed)	November 22, 2022, 9:30 a.m.
All Parties file post hearing briefs	December 2, 2022
Commission Decision (Tentative)	December 20, 2022

Thank you for your consideration and we look forward to the discussion at the prehearing conference.

Respectfully submitted,

*/s/Jennifer Hill-Hart*

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