

1 **BEFORE THE OREGON PUBLIC UTILITIES COMMISSION**

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3 **DR 10/UE 88/UM 989**  
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5 **In the Matters of**

6  
7 **The Application of Portland General**  
8 **Electric Company for an Investigation into**  
9 **Least Cost Plan Plant Retirement. (DR 10)**

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11 **Revised Tariffs Schedules for Electric**  
12 **Service in Oregon Filed by Portland**  
13 **General Electric Company. (UE 88)**  
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15 **Portland General Electric Company's**  
16 **Application for an Accounting Order and**  
17 **for Order Approving Tariff Sheets**  
18 **Implementing Rate Reduction. (UM 989)**  
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**REPLY REGARDING**  
**MOTION TO COMPEL PGE**  
**ANSWERS TO THIRD**  
**DISCOVERY REQUEST TO**  
**PGE BY UTILITY REFORM**  
**PROJECT**

**July 13, 2005**

21 A few minutes ago, PGE emailed its Opposition to Utility Reform Project's  
22 Motion to Compel. Instead of responding to URP's very simply request (which PGE  
23 lists as No. 13), PGE wishes to play hide and seek.

24 PGE does not contest that the information sought by URP is relevant. In fact,  
25 PGE's rate of return is central to its own position in this case. But, instead of  
26 providing the requested information, PGE has merely dumped on URP tens of  
27 thousands of pages of documents (both hard copy and electronic), which may or  
28 may not contain the information sought. It would take URP an untold amount of  
29 time to look for the needles in these haystacks, if indeed the needles are hidden  
30 within.

1           As for conferring, URP did confer with PGE counsel Jay Dudley, by exchange  
2 of emails, prior to PGE's transmission of its response to the Motion to Compel. To  
3 the extent required, URP hereby renews its Motion to Compel, now that conferring  
4 has already taken place. URP hereby certifies that conferring has taken place, by  
5 means of exchange of emails between PGE counsel Jay Dudley and undersigned  
6 counsel. In addition, the time factor is urgent. URP needs the requested  
7 information immediately, for the preparation of the final round of testimony, and thus  
8 requests an immediate order compelling PGE to provide it.

9           Discovery is not a game of hide and seek. PGE wishes to hide the  
10 information URP seeks by providing it, perhaps, buried somewhere among  
11 thousands of pages. Instead, it should provide it in a format that should not occupy  
12 more than one or two pages of text or tables.

13           Dated: July 13, 2005

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that I served a true copy of the foregoing REPLY REGARDING MOTION TO COMPEL PGE ANSWERS TO THIRD DISCOVERY REQUEST TO PGE BY UTILITY REFORM PROJECT BY UTILITY REFORM PROJECT by email to the email addresses shown below, which comprise the service list on the Commission's web site as of this day.

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Dated: July 13, 2005

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Daniel W. Meek