

BEFORE THE OREGON PUBLIC UTILITIES COMMISSION

DR 10/UE 88/UM 989

In the Matters of

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

Revised Tariffs Schedules for Electric Service in Oregon Filed by Portland General Electric Company. (UE 88)

Portland General Electric Company's Application for an Accounting Order and for Order Approving Tariff Sheets Implementing Rate Reduction. (UM 989)

UTILITY REFORM
PROJECT NOTICE

RE:
CLARIFICATION

August 26, 2005

Undersigned appears specially for the Utility Reform Project (URP) and responds to the August 26, 2005, ruling and clarification after polling the Board by telephone.

URP did not "seek," request, or intend that the hearing be delayed pending the resolution of its emergency motion for clarification dated August 25, 2005, as stated in the ruling at p. 3. It in fact identified the motion as one needing rapid resolution by use of the term "emergency" in the caption.

1. The Board of URP expressly authorizes each and all filings made by attorney Linda K. Williams as counsel after the Hearings Officer's July 25, 2005, Ruling, footnote 1, including but not limited to, the Cross-Examination statements.
2. URP continues to have confidence in and wishes to be represented by attorney Daniel W. Meek in this proceeding as counsel.

3. Expert witness Jim Lazar cannot sponsor the testimony of Daniel W. Meek, as he has not undertaken an independent review of the matters, not all of which are within the scope of the testimony he has prepared and proffered for this hearing. This does not express a lack of confidence in the testimony but states the fact that Mr. Lazar cannot, under oath, state that it is his testimony, without rigorous prior review.
4. Attorney Linda K. Williams cannot sponsor the testimony of Daniel W. Meek, as she has not undertaken an independent review of the content and cannot ethically adopt or sponsor it under oath, and she, further, she represents a party in this proceeding, MKG, which still seeks representation for the purposes stated in the Petition on Intervention filed herein.
5. URP therefore hereby gives notice that it withdraws the testimony of Daniel W. Meek, under protest of the resulting denial of due process for URP.
6. MGK has also sponsored the testimony of Jim Lazar and Daniel W. Meek. MGK withdraws the testimony of Daniel W. Meek, under protest of the resulting denial of due process for MGK.
7. URP moves that the Testimony of Daniel W. Meek should be lodged in the record, marked as "stricken," so that it will be available to the appellate courts

upon their review of this proceeding.

Dated: August 26, 2005

Respectfully Submitted,

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Appearing Specially for URP

CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of the foregoing UTILITY REFORM PROJECT NOTICE RE: CLARIFICATION 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: August 26, 2005

Linda K. Williams