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Public Utility Commission of Oregon
3930 Fairview Industrial Drive SE
P. O. Box 1088
Salem, Oregon 97308-1088

Attn: Commission Filing Center

RE: AR 583 Rulemaking - PGE Preliminary Comments to E-Filing Requirements and Other Housekeeping

Portland General Electric (PGE) appreciates the opportunity to provide preliminary comments on the Oregon Public Utility Commission proposed housekeeping updates in Chapter 860 Divisions 001–082 (streamline eFiling requirements). Our comments are intended to present some initial thoughts on the proposed changes relating to eFiling processes and other housekeeping. PGE may provide additional comments later in this rulemaking proceeding.

In general, we support the changes intended to standardize and clarify rule language proposed in this docket, except as noted. PGE provides the following comments:

OAR 860-001-0070 and 0170(a) – These sections discuss filing requirements, timeliness of electronic filings and physical filings for documents, CDs and DVDs.

PGE agrees with NW Natural’s recommendation to add USB flash drives to acceptable electronic submissions, copied as follows:

(3) Unless otherwise provided by Commission order, confidential information submitted under this rule must be **clearly labeled on each electronic page as confidential and identified as confidential in the document name**, or printed on yellow paper, separately bound, and placed in a sealed container or **provided on a CD, ~~or DVD~~, or other portable data storage device** clearly labeled with the word **CONFIDENTIAL** and placed in a sealed container.

OAR 860-001-0170(1)(f) & (g) – These sections address the acceptance of confidential and redacted materials.

PGE recommends that the proposed language state that “the confidential version must be received within two business days of filing”. PGE agrees with the NW Natural recommendation copied below:

(f) If a document contains confidential information, then a redacted version will be accepted for electronic filing, ~~but only if the original~~ The un-redacted confidential document is personally delivered or sent by first-class mail, postage prepaid, must be received by the Filing Center on the date the redacted document is electronically filed, within two business days of the date the redacted document was electronically filed.

(g) If an entire filing is confidential, then a cover letter will be accepted for electronic Filing. The un-redacted confidential filing must be received by the Filing Center within two business days of the date the cover letter was electronically filed., but only if the original confidential document is received by the Filing Center on the date the cover letter is electronically filed.

OAR 860-001-0180(2)(a) and -0540(2) – These sections discuss the electronic e-mailing and filing of redacted and non-redacted confidential materials, unless the protective order requires service of physical copies.

In addition to the above, and the proposed requirement to file non-redacted confidential materials in an unsecured state, it is unlikely PGE would file non-redacted confidential documents electronically by way of e-mail. PGE looks forward to discussion on this topic and clarification of the proposed requirements for both filing and service of the non-redacted confidential physical materials.

OAR 860-001-0180(2)(b) – This section requires the filing party to serve physical copies of a filing if it is more than 100 pages in size, to the other parties.

PGE recommends this rule be removed in its entirety. PGE believes the ultimate intent of eFiling is to obviate the need for the submission of physical copies overall. Most parties have opted out of physical copy service. Physical copy requirements and the size of a filing should no longer be a consideration of service.

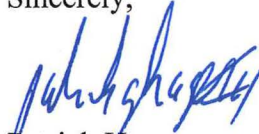
OAR 860-001-0480(5) – This section provides that, if shared workspace is being used for data requests and responses, providing copies to other parties is satisfied upon “uploading” the work papers to that work space.

PGE requests clarification as to whether notice must be provided to parties when data requests or responses are uploaded to a shared workspace.

OAR 860-021-0015 Dispute Resolution – We believe the proposed changes go beyond the scope of housekeeping; the proposed changes grant new authority, add new provisions and significantly modify other sections of the current rule. PGE suggests the 860-021-0015 Dispute Resolution proposed changes be removed from this proceeding and considered in a separate rulemaking proceeding.

PGE extends its appreciation to Staff and looks forward to further participating in the rulemaking process. Please direct all formal correspondence and requests for this proceeding to the following email address pge.opuc.filings@pgn.com

Sincerely,



Patrick Hager
Manager, Regulatory Affairs

cc: Phil Boyle, OPUC