

**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

**UM 1535**

In the Matter of	)	
	)	
PORTLAND GENERAL ELECTRIC COMPANY	)	<b>COMMENTS OF THE NORTHWEST AND INTERMOUNTAIN POWER PRODUCER'S COALITION</b>
	)	
Request for Proposals for Capacity and Baseload Energy Resources	)	
_____	)	

Pursuant to Administrative Law Judge Grant's August 16, 2013 memorandum in the above referenced docket, the Northwest and Intermountain Power Producer's Coalition ("NIPPC") submits its Comments regarding Grays Harbor Energy, LLC ("Grays Harbor") request for an investigation into matters related to Portland General Electric Company's ("PGE") Capacity and Baseload Energy Resources Request for Proposals ("RFP"). NIPPC has been an active party in these proceedings and appreciates the opportunity to provide these comments.

PGE's reply comments to Grays Harbor's request suggests that an investigation would compromise the integrity of the OPUC's competitive bidding guidelines and that Grays Harbor's request must be denied in order to "re-affirm the integrity of the competitive bidding process."<sup>1</sup> This statement is not only ironic given the company's approach to the guidelines;<sup>2</sup> it is 180 degrees from the truth.

<sup>1</sup> *Response of Portland General Electric to Grays Harbor Request*, pp 1, 23. (Aug. 23, 2013)

<sup>2</sup> LC 33, PGE's request for waiver of OAR 800-038-0080(1)(b) to acquire and develop Biglow Canyon. UM 1499, PGE's request for a waiver from OPUC's competitive bidding rules to develop wind power in Columbia Gorge. UM 1535 and UM 1613, PGE's decision to bypass Commission acknowledgment of its short lists.

NIPPC believes that the integrity of the guidelines have already been severely compromised and can only be protected with a rigorous investigation. Given the specific nature of the issues raised by Grays Harbor, and supporting evidence provided, NIPPC urges the Commission to determine if there was any potential malfeasance, intentional or unintentional, that skewed the outcome of the RFP.

Opening an investigation places the Commission in a win-win scenario. If the investigation shows that no issues existed, then the Commission has re-affirmed the integrity of the process. Alternatively, if the investigation turns up evidence to suggest that the lowest cost least risk resource(s) were not procured, then it can remedy the matter and once again re-affirm the integrity of the process by demonstrating its willingness to investigate appropriate when there's reason to believe that fairness was compromised and ratepayers' interests ill-served.

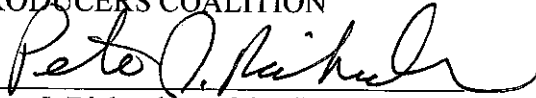
Moreover, the circumstances surrounding the current situation may confirm the OPUC's longstanding recognition of the investor-owned utility self-build bias. Because of that well-established bias, the essential goal of the guidelines from their inception is the assurance of fairness. Notwithstanding PGE's claims and the Independent Evaluator's findings, NIPPC finds strong reason that the Commission should support Grays Harbor's request for investigation to ensure the least cost, least risk resource(s) were procured.

NIPPC believes that only a rigorous investigation of PGE's conduct in the RFP can restore integrity to the OPUC's much vaunted and long cultivated bidding guidelines. Therefore the Commission should grant Grays Harbor's Request for an Investigation and in doing so begin the process of re-affirming the integrity of the Commission's RFP process.

Dated this 29<sup>th</sup> day of August 2013.

Respectfully Submitted,

NORTHWEST AND INTERMOUNTAIN POWER  
PRODUCERS COALITION



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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29<sup>th</sup> day of August, 2013, a true and correct copy of the within and foregoing **COMMENTS OF THE NORTHWEST AND INTERMOUNTAIN POWER PRODUCERS COALITION in UM 1535** was served as shown to:

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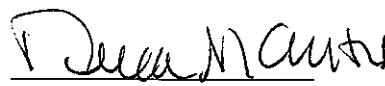
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