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April 4, 2019

**VIA ELECTRONIC FILING**

Attention: Filing Center  
Public Utility Commission of Oregon  
201 High Street SE, Suite 100  
Salem, Oregon 97301-3398

**Re: Docket UM 1818 – Columbia Basin Electric Cooperative, Inc. v.  
Umatilla Electric Cooperative, Inc.**

Dear Filing Center:

Attached for filing in the above-captioned docket is Columbia Basin Electric Cooperative's Reply (in support of its Request for Certification of ALJ Moser's Ruling).

Please contact this office with any questions.

Very truly yours,

Wendy McIndoo  
Office Manager

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UM 1818**

In the Matter of the Complaint of	)	
	)	
	)	
COLUMBIA BASIN ELECTRIC COOPERATIVE, INC.	)	COLUMBIA BASIN ELECTRIC COOPERATIVE'S REPLY
	)	
v.	)	
	)	
<u>UMATILLA ELECTRIC COOPERATIVE, INC.</u>	)	

1 Pursuant to OAR 860-001-0420(5), Columbia Basin Electric Cooperative, Inc. (CBEC) files  
2 this Reply in support of its Request for Certification of Administrative Law Judge (ALJ) Moser's  
3 Ruling holding this proceeding in abeyance and for Official Notice of the materials in the te  
4 Velde bankruptcy docket. Based on Umatilla Electric Cooperative's (UEC) Response, it  
5 appears that UEC supports CBEC's request for certification and a speedy resolution of this  
6 dispute, and does not object to the Public Utility Commission of Oregon (Commission) taking  
7 official notice of the bankruptcy matter. Therefore, CBEC respectfully requests that certification  
8 be granted and official notice taken without delay, and that the Commission proceed to  
9 expeditiously resolve this dispute.

10 Because the issues presented by CBEC's current motion—certification and official notice—  
11 are not disputed, CBEC sees no need to respond to the majority of UEC's Response, which  
12 improperly attempts to supplement UEC's summary judgment briefing. Instead, CBEC relies on  
13 its own testimony and summary judgment briefing, which speak for themselves and  
14 demonstrate that UEC's Response mischaracterizes CBEC's testimony and ignores key issues  
15 in this case. In particular, CBEC notes that, if the Commission finds it has authority to apply the  
16 geographic load center test, it must consider whether a customer may unify separate loads  
17 through its own actions in order to choose its service provider.

1 Finally, the parties' briefing highlights that there is not a "lack of an existing justiciable  
2 controversy for the Commission to resolve."<sup>1</sup> Therefore, CBEC reiterates its request for a  
3 speedy resolution of this dispute.

4 Respectfully Submitted this 4<sup>th</sup> day of April 2019.

By /s/ Raymond S. Kindley  
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Of Attorneys for Columbia Basin Electric  
Cooperative, Inc.

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<sup>1</sup> UM 1818, January 15, 2019 ALJ Memorandum at 1.