

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 233**

In the Matter of	)	
	)	
IDAHO POWER COMPANY	)	CUB AND OICIP'S MOTION TO
	)	AMEND PROCEDURAL SCHEDULE
	)	
Application for Authority to Increase its Rates	)	<b>EXPEDITED CONSIDERATION</b>
and Charges for Electric Service in the State of	)	<b>REQUESTED</b>
Oregon	)	
_____	)	

**I. INTRODUCTION**

Pursuant to ORS 756.040 and OAR 860-001-0420 the Citizens' Utility Board of Oregon (CUB) and the Oregon Industrial Customers of Idaho Power (OICIP) hereby respectfully request **Expedited Consideration** of their Motion to Amend the Procedural schedule. Simultaneously with this Motion to Amend Procedural Schedule, CUB and OICIP are also filing a Motion to Strike portions of the Rebuttal Testimony of Idaho Power Company (IPCO or Company) witness John Carstensen. This Motion to Amend Procedural Schedule is being filed for the following reasons:

- To allow CUB and OICIP to engage in the additional discovery necessitated by the Company's Rebuttal Testimony filing, only eleven days before hearing, of large amounts of new evidence not previously disclosed.

UE 233      CUB AND OICIP'S MOTION TO AMEND PROCEDURAL SCHEDULE  
**EXPEDITED CONSIDERATION REQUESTED**

- To allow CUB and OICIP additional time to file Surrebuttal Testimony related to the new evidence disclosed by Idaho Power Company in its Rebuttal Testimony.
- To reset the hearing date to allow for the discovery and additional testimony requested above.
- To allow CUB and OICIP time to respond to the additional briefs now proposed to be filed in this docket by PacifiCorp and ICNU and, as we have been advised, soon to be others. CUB and OICIP wish to be able to file thoughtful, well researched responses to each parties' legal arguments. Given the current briefing schedule this will not be possible. The original schedule was drafted to permit CUB to respond to Idaho Power and possibly Staff's briefs, it did not anticipate the participation of additional parties.

**Hearing in this docket is currently scheduled for May 16, 2012.**

After having to personally walk to Idaho Power's attorneys' office on Monday, May 7, 2012, to pick up the confidential materials filed with the Rebuttal Testimony,<sup>1</sup> CUB, via email dated on the morning of May 8, 2012, alerted all parties to this docket that CUB would be filing both a Motion to Amend the Procedural Schedule and a Motion to Strike. CUB requested that the Parties advise CUB of their client's positions so that their positions might be reflected in this filing. The following parties have advised that their positions regarding this Motion to Amend Procedural Schedule are as follows:

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<sup>1</sup> CUB has yet to receive the mailed confidential information.

- Idaho Power Company** - **Idaho Power Company had not formed a Position at the time of filing.**
- PacifiCorp** - **Prior to seeing the motions PacifiCorp had advised it would take no position.**
- OIPA** - **No response was received at the time of filing.**
- Portland General Electric** - **No response was received at the time of filing.**
- ICNU** - **Had not had time to review the motion at the time of filing.**
- OPUC Staff** - **Staff supports the request for more time to conduct discovery and more time for briefing. At the time of filing Staff is undecided about the need for more testimony.**

## II. BACKGROUND

Before ALJ Arlow granted PacifiCorp’s Petition to Intervene, the parties to the docket included the Oregon Irrigation Pumpers Association, Inc. (OIPA), OICIP, Portland General Electric (PGE), CUB, Staff and IPCO. Following PacifiCorp’s Intervention, the Industrial Customers of Northwest Utilities (ICNU) also moved to intervene and was granted Intervenor status. CUB has been advised that several other parties also intend to file Petitions to Intervene in this docket.

For the early history of this docket please refer to CUB and OICIP’s Motion to Strike filed simultaneously with this Motion to Amend Procedural Schedule. The historical summary is set forth below:

17. As of the date of filing of this Partial Stipulation, CUB believes that the Company has not yet demonstrated the prudence of incremental Bridger Plant pollution control equipment installed during the 2011 test year . . . . If CUB continues to dispute the prudence of the Company’s Bridger Pollution Control Investments, CUB and Intervenors may file Reply testimony and the Parties will request a Commission ruling on this issue.<sup>2</sup>

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<sup>2</sup> Partial Stipulation at 6 line 13 to page 7 line 13.

Commission Order No. 12-055, dated February 23, 2012, adopted the Partial Stipulation and set in motion Phase II of the docket <sup>3</sup>

On April 13, 2012, all parties responded to the Company's Supplemental Testimony - CUB filed its "Supplemental Testimony" and Staff filed its "Response Testimony." Then on April 19, 2012, PacifiCorp filed its Petition to Intervene for purposes of briefing. On April 20, 2012, the Petition to Intervene was granted. Shortly thereafter, on April 24, 2012, CUB and OICIP filed their Objections to PacifiCorp's Petition to Intervene and Request for Reconsideration of ALJ Arlow's Ruling Granting Intervention. On April 27, 2012, Pacific Power filed its Response to CUB's and OICIP's Objection to Petition to Intervene. On May 1, 2012, ALJ Arlow issued a Ruling Affirming the Petition to Intervene. The Ruling did not order any of the restrictions requested by CUB and OICIP. On May 2, 2012, ICNU also moved to intervene for purposes of briefing and was granted Intervenor status.

The Company filed John Carstensen's Rebuttal Testimony on May 4, 2012. No Party has previously moved to amend the procedural schedule for Phase II of the docket. CUB and OICIP are filing this motion because they are faced with last minute evidence and no opportunity to rebut – trial by ambush.

### **III. WHY CUB AND OICIP SHOULD BE GRANTED ADDITIONAL TIME TO CONDUCT DISCOVERY**

- 1) IPCO's Rebuttal Testimony of John Carstensen relies on a mixture of non-confidential and confidential information received from PacifiCorp either just before or just

after its intervention into this docket.<sup>4</sup> CUB and OICIP's Objections to the PacifiCorp Petition to Intervene warned against possible attempts by PacifiCorp to bolster and subvert the record in this docket by passing information to Idaho Power that Idaho Power did not previously have knowledge of, access to, or have in its records. This is exactly what appears to have happened with regard to the listed CAI study. CUB and OICIP, in their simultaneously filed Motion to Strike, have respectfully requested that this testimony be stricken and if not stricken that CUB and OICIP's Motion to Amend the Procedural Schedule be granted so that CUB and OICIP have time to conduct discovery in regard to the newly presented study. CUB and OICIP respectfully request that the procedural schedule be amended to permit CUB and OICIP additional time to conduct discovery related to this study. This is new evidence to this record, received at the last minute and not previously relied on by Idaho Power.

2) Mr. Carstensen's Supplemental Testimony stated: "PacifiCorp, completed detailed analyses of the appropriate technology to be applied to this BART-eligible facility to achieve established emissions control objectives. After a thorough analysis, the owners concluded that upgrading the scrubbers presented a cost-effective method to bring the Jim Bridger Unit 3 into compliance . . ." <sup>5</sup> Nowhere else in his testimony did Mr. Carstensen allude to any involvement by IPCO in any review or decision making regarding the Scrubber Upgrade project. Now in his Rebuttal Testimony, Mr. Carstensen states there were multiple

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<sup>4</sup> Idaho Power/1400 Carstensen/8 lines 7-16. "**Q. Has the Company since reviewed any additional analysis that demonstrates that the Jim Bridger Unit 3 Scrubber upgrade project is still the least cost option?** A. Yes. In the past week, PacifiCorp has provided Idaho Power an analysis, entitled "CAI Capital Projects Study for Jim Bridger U3 – Dec. 2008 . . . ."

<sup>5</sup> Idaho Power/1300 John Carstensen/4 lines 19-22.

meetings between the utilities,<sup>6</sup> multiple studies reviewed,<sup>7</sup> meetings with Wyoming DEQ<sup>8</sup> and that IPCO consented to the Scrubber Upgrade Project.<sup>9</sup> All of this information is relayed now in the form of testimony, without citation to documentation, only after the intervention of PacifiCorp in this docket. CUB respectfully requests additional time to conduct discovery, including but not limited to, these additional studies, meetings and the giving of “consent.” The type of discovery CUB and OICIP wish to conduct is set forth in the attached proposed data requests. *See* Attachment 1.<sup>10</sup> Obviously, additional discovery may be needed depending on the responses to these data requests.

3) Mr. Carstensen’s Rebuttal Testimony also includes new information about competitive bidding processes and the timelines under which those processes took place.<sup>11</sup> This is new information in this docket and CUB and OICIP should be allowed time to conduct discovery related to this information.

4) Mr. Carstensen’s Rebuttal Testimony also includes new information about the time period during which the contract work was commenced and completed.<sup>12</sup> This is new information in this docket and CUB and OICIP should be allowed time to conduct discovery related to this information.

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<sup>6</sup> Idaho Power/1400 Carstensen/2 at lines 18-20.

<sup>7</sup> Idaho Power/1400 Carstensen/2 at lines 18-20.

<sup>8</sup> Idaho Power/1400 Carstensen/2 at lines 22-25.

<sup>9</sup> Idaho Power/1400 Carstensen/3 at line 1.

<sup>10</sup> Attachment 1 contains one data request containing confidential information. The proposed data requests are therefore redacted accordingly.

<sup>11</sup> Idaho Power/1400 Carstensen/3 lines 2-8.

<sup>12</sup> Idaho Power/1400 Carstensen/3 lines 6-8.

5) Mr. Carstensen's Rebuttal Testimony also includes additional discussion of environmental regulations.<sup>13</sup> This is new information in this docket and CUB and OICIP should be allowed time to conduct discovery related to this information. CUB and OICIP have questions related to which environmental regulations Idaho Power actually reviewed and when they were reviewed.

6) Mr. Carstensen's Rebuttal Testimony also includes additional discussion of the Selective Catalytic Reduction (SCR).<sup>14</sup> CUB disagrees with IPCO's assertion that this information is not relevant to this docket because this investment, like the Scrubber Upgrade, was made in order to comply with Regional Haze Rules. Commission rules provide that relevant evidence "(a) [m]eans evidence tending to make the existence of any fact at issue in the proceedings more or less probable than it would be without the evidence . . ."<sup>15</sup> CUB is arguing in this docket that IPCO was not prudent when it failed to study the least cost/least risk means to deal with air pollution controls at Bridger 3 and that it should not therefore be rewarded by being allowed to place those costs into rates.

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<sup>13</sup> Idaho Power/1400 Carstensen/5 lines 5-11.

<sup>14</sup> Idaho Power/1400 Carstensen/13 lines 12-19.

<sup>15</sup> See also GENERAL PROVISIONS GOVERNING DISCOVERY RULE 36 A **Discovery methods.** Parties may obtain discovery by one or more of the following methods: depositions upon oral examination or written questions; production of documents or things or permission to enter upon land or other property, for inspection and other purposes; physical and mental examinations; and requests for admission.

**B Scope of discovery.** Unless otherwise limited by order of the court in accordance with these rules, the scope of discovery is as follows:

**B(1) In general.** For all forms of discovery, parties may inquire regarding any matter, not privileged, which is relevant to the claim or defense of the party seeking discovery or to the claim or defense of any other party, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things, and the identity and location of persons having knowledge of any discoverable matter. It is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.

CUB is arguing that Idaho Power should not be allowed to avoid an economic analysis of the RHR investment by considering the Scrubber Upgrade and SCR as separate discrete investments. CUB and OICIP respectfully request permission to seek discovery related to the SCR as well as the Scrubber upgrade Project. CUB and OICIP seek to ask questions related to the time period in which Idaho Power became aware that an SCR would be required, whether it has given “consent” to such investment, and any analysis it has done, or that has been provided to it, relating to the need for an SCR.

7) Mr. Carstensen’s Rebuttal Testimony at Idaho Power/1400 Carstensen/2 cites to confidential exhibit Idaho Power/1401. CUB and OICIP also have questions related to that exhibit. Exhibit 1401 is new evidence produced for the first time in the Rebuttal Testimony of John Carstensen and has not previously been disclosed or made available for discovery. CUB and OICIP request time to seek discovery related to this Exhibit 1401.

8) CUB and OICIP also have questions related to the Rebuttal Testimony set forth at Idaho Power/1400 Carstensen 5 lines 9-11 wherein Idaho Power discusses its LC 53 IRP and the analyses done there under. This too is new evidence submitted for the first time in this docket. This evidence was not previously disclosed in this docket being information from LC 53. If Idaho Power is seeking to be allowed to rely on evidence from LC 53 in this UE 233 docket, then CUB and OICIP should be permitted to conduct discovery related to the evidence produced in that docket. CUB and OICIP therefore



respectfully request the opportunity to conduct discovery related to the LC 53 IRP in this UE 233 docket.

9) CUB and OICIP are also seeking to be allowed to conduct discovery from Idaho Power related to Idaho Power's knowledge of the information it is relying on when it cites to the LC 52 PacifiCorp IRP Update Redacted Appendix A. Again, this is information from another docket being cited to by Idaho Power in this docket. Indeed this is confidential information. If Idaho Power is seeking to rely on this information in this docket, then CUB and OICIP request permission to conduct discovery related to Idaho Power's knowledge of the confidential and non-confidential information upon which it is seeking to rely.

10) CUB and OICIP also respectfully request time to file Surrebuttal Testimony related to all of the new evidence discussed above. The time for filing of this Surrebuttal Testimony should be set after the time for conducting the reasonable discovery requested above.

11) CUB and OICIP also respectfully request time to respond to the additional briefs now proposed to be filed in this docket by PacifiCorp and ICNU and, as we have been advised, soon to be others. CUB and OICIP wish to be able to file thoughtful well researched responses to every parties' legal arguments. Given the current briefing schedule, this will not be possible. The original schedule was drafted to permit CUB to respond to Idaho Power and possibly Staff's brief, it did not anticipate the participation of additional parties.

#### **IV. WHY THE HEARING DATE NEEDS TO BE RESET**

Given the need for additional discovery and time for the filing of Surrebuttal Testimony related to this discovery and the testimony on which it was based, CUB and OICIP also respectfully request that the hearing in this matter also be rescheduled to a later time. There are no statutory limitations to the timeline for this docket.

#### **V. WHY THE BRIEFING SCHEDULE NEEDS TO BE RESET**

Given the need for additional discovery and time for the filing of Surrebuttal Testimony related to this discovery and the testimony on which it was based, and the need for a later hearing date, CUB and OICIP also respectfully request that the briefing schedule in this matter also be reset to allow for the responses to the additional briefs that may be filed in this docket with the intervention of PacifiCorp and ICNU specifically for the purposes of briefing. CUB has also been advised of the intent of other parties to also seek intervention in order to brief the issues in this matter. With multiple parties now briefing, there is a need to reset the briefing schedule to allow for thoughtful, well researched and well reasoned briefs. There are no statutory limitations to the timeline for this docket.

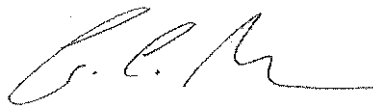
#### **VI. CONCLUSION**

CUB and OICIP once again find themselves faced with last minute evidence and no opportunity to rebut – trial by ambush. For all of the above cited reasons, CUB respectfully requests that the Procedural Schedule in this docket be amended to permit additional time for discovery, the filing of Surrebuttal Testimony by CUB and OICIP, the filing of Surrebuttal Testimony by the Company, if requested, and the amendment of the briefing schedule to allow for

thoughtful, well researched and well reasoned briefs. CUB is aware of no statutory limitations to the timeline for this docket.

Dated this 9<sup>th</sup> day of May, 2012.

Respectfully submitted,



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Re: UE 233 CUB Data Request 37

Please send responses to the following data requests to [dockets@oregoncub.org](mailto:dockets@oregoncub.org) or, for confidential material, to Gordon Feighner at the address above. Please assume that these are on-going requests if any additional information becomes available during the pendency of the case. Answers are due within 14 business days of service or from the date ordered by the ALJ in this docket. If you have any questions, please call us at (503) 227-1984.

37. Idaho Power/1400 Carstensen/2 lines 18 to 22 states: “[t]hen, starting in 2006 and continuing through 2008, Idaho Power and PacifiCorp had a series of meetings at which PacifiCorp presented the results of its analyses, including the CH2M HILL study, and at which the parties discussed environmental regulations that would impact the Bridger plant and evaluated the options for compliance with those regulations.”

- a. Please provide the date of each of the meetings.
- b. Please provide the agenda for each of the meetings.
- c. Please provide copies of any handouts distributed by either PacifiCorp or Idaho Power at each of the meetings.
- d. Please provide the attendance list for each of the alleged meetings.
- e. Please provide a list of any and all environmental regulations discussed at each of the meetings.
- f. Please provide a list of any and all decisions made at each of the meetings.
- g. Please provide a list of each and every study, with title and date of creation and date of presentation to Idaho Power, of each study presented upon by PacifiCorp at the meetings.
- h. Please provide copies of all notes taken by either Idaho Power or PacifiCorp at each meeting.
- i. Did any of the meetings discuss the need for an analysis to determine whether the RHR controls were cost effective?

38. Idaho Power/1400 Carstensen/2 lines 22 to 25 states: [i]n addition, in 2008, Idaho Power and PacifiCorp met jointly with the Wyoming Division of Air Quality multiple times

to discuss the proposed requirements for complying with the Regional Haze Best Available Retrofit Technology (“RH BART”) rules.”

- a. Please provide the dates for each joint meeting between PacifiCorp, Idaho Power and Wyoming DEQ.
- b. Please provide the agenda for each of the meetings.
- c. Please provide copies of any handouts distributed at each of the alleged meetings.
- d. Please provide the attendance list for each of the meetings.
- e. Please provide a list of any and all environmental regulations discussed at each of the meetings.
- f. Please provide a list of any and all decisions made at each of the meetings.
- g. Please provide a list of each and every study reviewed at each meeting.
- h. Please provide copies of all notes taken by either Idaho Power or PacifiCorp at each meeting.

39. Idaho Power/1400 Carstensen/2-3 states: “During discussions that occurred during the late 2007 to 2008 time period, Idaho Power provided PacifiCorp with its consent to invest in the Jim Bridger Unit 3 Scrubber Upgrade project.”

- a. Please provide the dates of all discussions between Idaho Power and PacifiCorp during which consent was given for PacifiCorp to move forward on any portion of the proposed scrubber at Jim Bridger Unit 3.
- b. Please provide the agenda for each of the meetings.
- c. Please provide copies of any handouts distributed at each of the alleged meetings.
- d. Please provide the attendance list for each of the meetings.
- e. Please provide a list of any and all environmental regulations discussed at each of the meetings.
- f. Please provide a list of any and all consents given, please include in your response hard copies evidencing each such consent and for what exactly it was given.
- g. Please provide a list of each and every study reviewed at each meeting.
- h. Please provide copies of all notes taken by either Idaho Power or PacifiCorp at each meeting.
- i. Was the consent given by Idaho Power to PacifiCorp done in writing? If so, please provide a copy of that document?

40. On what date was Idaho Power presented with the results of the CH2M HILL study referenced at Idaho Power/1400 Carstensen/2 line 20?

41. Did Idaho Power meet with WY DEQ before or after it gave its initial consent for PacifiCorp to proceed with the Jim Bridger Unit 3 scrubber upgrade project?

42. On what date did the PacifiCorp competitive bid process referenced in Idaho Power/1400 Carstensen/3 line 4 commence?

43. On what date was the PacifiCorp competitive bid process, referenced in Idaho Power/1400 Carstensen/3 line 4, completed and a contract let for the work to be started?

44. When did the Jim Bridger Unit 3 Scrubber Upgrade Project contractor first start work?

45. At what points during the Jim Bridger Unit 3 Scrubber Upgrade Project was the contractors work reviewed by:

- a. PacifiCorp
- b. Idaho Power
- c. What was the impetus for the contractor work review at each time the contract work was reviewed?
- d. Was the contract work ever halted for any reason? If so what reason?

46. Idaho Power/1400 Carstensen/3 lines 6-8 provides that: “Construction work on the Jim Bridger Unit 3 Scrubber Upgrade Project was completed during a planned outage in 2011.”

- a. What were the exact dates of the planned outage during which this work was completed?
- b. On what exact date was the Jim Bridger Unit 3 Scrubber Upgrade Project work completed?

47. Idaho Power/1400 Carstensen/5 lines 1 – 11 provides: “**Q. When the Company made the decision to invest in the Jim Bridger Unit 3 Scrubber upgrade Project, did you consider the future compliance costs associated with anticipated environmental regulations other than the RH BART rules?** A. Yes. However . . . many possible regulations meant that they were not necessarily considered unless the Company was reasonably sure of the future compliance costs and had in fact forecast those expenditures in its planning process.”

- a. For what environmental regulations did IPCO actually consider future compliance costs?
- b. In what planning process, on what date, were the future compliance costs forecast?
- c. Please provide a copy of each page from each planning process where each of these compliance costs was forecast.

48. Idaho Power Company/1400 Carstensen/8 lines 7 -14 provides: “**Q. Has the Company since reviewed any additional analysis that demonstrates that the Jim Bridger Unit 3 Scrubber upgrade Project is still the least cost option?** A. Yes. In the past week, PacifiCorp has provided Idaho Power an analysis, entitled “CAI Capital Projects Study for Jim Bridger U3 – Dec. 2008 . . . ”

- a. What date did Idaho Power receive this study from PacifiCorp?
- b. Had Idaho Power ever seen or been briefed on the study prior to the date listed in response to question 48.a. above?
- c. If “yes” on what dates did Idaho Power see this study prior to its physical receipt of a copy of this study?
- d. If “yes” to part 48.b. on what dates was Idaho Power briefed on the study prior to the date listed in response to question 48.a. above?

- e. When was the CAI Capital Projects Study completed?
- f. By whom was the study drafted? What is that person/entity's contact information?
- g. Did this study include a SCR?
- h. Was this study updated after Idaho Power and PacifiCorp became aware that a SCR would also be required? If so, please provide a copy of that updated study.

49. When did Idaho Power become aware that a Selective Catalytic Reduction ("SCR") would be required at Jim Bridger 3 as part of the RHR?

50. Has Idaho Power given consent for the SCR investment? If so, when was this consent given?

51. Please provide any analysis relating to the cost effectiveness of the SCR investment that has been provided to Idaho Power by the Operator.

52. BEGIN CONFIDENTIAL

END CONFIDENTIAL

53. According to Mr. Carstensen (1400/5 lines 9-11), the 2009 IRP referenced plant modifications in 2009, 2015, and 2016.

- a. What were the plant modifications that were expected in 2009? Were those modification made? When were they completed?
- b. What were the plant modifications that were expected in 2015?
- c. What were the plant modifications that were expected in 2016?

54. Mr. Carstensen discusses the "tipping point" analysis contained in the 2011 IRP.

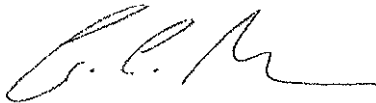
- a. Was the cost of the scrubber upgrade at Bridger 3 considered to be a sunk cost of the existing plant or a cost that would be avoided with an alternative investment?
- b. Was the cost of an SCR considered to be a sunk cost of the existing plant or a cost that would be avoided with an alternative investment?
- c. Please provide the gas prices that were used in that analysis.
- d. Did Idaho Power test the results against multiple scenarios (low gas, base case gas and high gas, for example)? What scenarios were tested and what was the result for each scenario?
- e. This tipping point analysis looked at both Bridger and Valmy. Please provide the low-cost and high-cost inputs for Jim Bridger 3.

55. Mr. Carstensen claims that “the same methodology used to reach the decision to convert Naughton Unit 3 supports the continued utilization of Jim Bridger 3.” (1400/12/lines 14-16) A footnote to this statement says that it came from PacifiCorp IRP Update, Redacted Appendix A.

- a. Where in the redacted Appendix A does it state that this analysis supports the continued utilization of Jim Bridger 3 as a pulverized coal plant.
- a. How many scenarios were analyzed in this IRP update?
- b. How many scenarios concluded that it was economic to convert Jim Bridger 3 to natural gas?
- c. Assuming some scenarios found conversion to be economic, is Idaho Power concerned that future conditions will reflect those scenarios?
- d. What are Idaho Power’s plans to ensure that future investment in Bridger 3 reflect conditions that ensure that the investment is economic?
- e. Did this study assume the costs associated with the turbine upgrade were avoidable if the plant was converted to natural gas?
- f. If the answer to the above “e” is no, would including the cost of the turbine upgrade as an avoidable cost change the analysis?

56. Please provide Idaho Power’s current forward price curve for natural gas. When was this price curve developed? When will Idaho Power update it?

Thank you for your prompt attention to this request.



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## UE 233 – CERTIFICATE OF SERVICE

I hereby certify that, on this 9<sup>th</sup> day of May, 2012, I served the foregoing **CUB AND OICIP'S MOTION TO AMEND PROCEDURAL SCHEDULE** in docket UE 233 upon each party listed in the UE 233 OPUC Service List by email and, where paper service is not waived, by U.S. mail, postage prepaid, and upon the Commission by email and by sending one original and one copy by U.S. mail, postage prepaid, to the Commission's Salem offices.

**(W denotes waiver of paper service)  
(HC denotes highly confidential)**

**(C denotes service of Confidential  
material authorized)**

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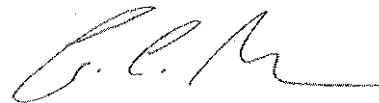
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