



DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

February 22, 2018

Attention: Filing Center
Public Utility Commission of Oregon
201 High Street SE, Suite 100
Salem, OR 97301-1166
PUC.FilingCenter@state.or.us

Re: UM 1845 – Staff’s Request for Schedule Change for Docket UM 1845

On behalf of Staff of the Public Utility Commission of Oregon (Staff), we submit the following schedule change request. The schedule for this docket provided the following dates:

Event	Date
RFP Final Shortlist with IE Closing report filed with the Commission	February 16, 2018
Parties’ Comments on IE Closing Report	March 2, 2018
PacifiCorp’s Reply Comments	March 16, 2018
Staff Public Meeting Report Posted	March 22, 2018
Commission to Deliberate Acknowledgement of the final shortlist	March 27, 2018 9:30 am Regular Public Meeting

In accordance with that schedule, on February 16, 2018, PacifiCorp filed its RFP final Shortlist. PacifiCorp also filed the Independent Evaluator’s Final Report, with the statement that it is confidential and will be provided to parties who have signed the protective order, except for non-confidential Attachment 3. At the same time, PacifiCorp filed a Motion for a Modified Protective Order establishing limited access to Highly Protected Information. On February 20, 2018, the Commission issued Order 18-057, providing for a Modified Protective Order governing access to Highly Protected Information. Also on February 20, 2018, PacifiCorp filed a revised Independent Evaluator’s Final Report disclosing additional information as non-confidential.

Staff received the confidential Independent Evaluator’s Final Report on February 20, 2018, but with redactions still in place for Highly Protected Information. Staff requested and subsequently received a complete, un-redacted, Final Report on February 21, 2018 at 3:30 p.m. Staff was likely the first commenting party to receive the complete report, as Staff is not required to sign a signatory page to access Highly Protected Information. Staff’s original schedule allowed the parties two weeks’ time to file comments on the Independent Evaluator’s Final Report. Staff is now left with seven working days, and we assume the other parties will have less time.

Under the terms of the Modified Protective Order, set forth in Order No. 18-057, Appendix A, certain parties will be provided access only at PacifiCorp's offices, which necessarily reduces the amount of time the information will be available to those parties. Other parties, those who represent or advise current bidders or are reasonably expected to be involved in solicitations or negotiations of power purchase agreements within the next two years, do not have access to Highly Protected Information, though they may request reconsideration of the order and gain access.

Given the size of the Final Shortlist before the Commission – over 1,000 MW – seven days, and less, is insufficient time to provide due consideration of the filing, nor is it sufficient time to prepare meaningful comments. If additional days are provided for comments, the schedule may then deprive the Commission of sufficient time to consider those comments in advance of the March 27, 2018 public meeting.

Staff therefore requests that the Commission's consideration of acknowledgement of the Final Shortlist be scheduled for the April 10, 2018 public meeting, with the following revisions to the remaining dates on the schedule:

Event	Date	Staff's Requested Date
RFP Final Shortlist with IE Closing report filed with the Commission	February 16, 2018	N/A
Parties' Comments on IE Closing Report	March 2, 2018	March 9, 2018
PacifiCorp's Reply Comments	March 16, 2018	March 23, 2018
Staff Public Meeting Report Posted	March 22, 2018	April 3, 2018
Commission to Deliberate Acknowledgement of the Final Shortlist	March 27, 2018 9:30 am Regular Public Meeting	April 10, 2018 9:30 am Regular Public Meeting

Staff is not aware of any adverse consequences that would result from this slight delay. The revised schedule provides for the Commission's review of the Final Shortlist within the 60 day review period provided in the Commission's Competitive Bidding Guidelines in Order No. 14-149, Appendix A at 5.

Sincerely,



Johanna M. Riemenschneider
Assistant Attorney General
Of Attorneys for Staff of the Public
Utility Commission of Oregon