BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UE-219

In the Matter of Applicathe Provisions of Senate Docket UE-219		PETITION TO INTERVENE and WAIVER OF PAPER SERVICE	
The Oregon Department of Environmental Quality ("ODEQ") petitions to intervene in this proceeding. In support of this petition, the following is provided:			
1. The contact information (name, address, email address) of the petitioner is:			
Name: Company: Street Address: City, State, Zip: Email Address: Telephone:	475 NE Bellevue I	01	
Please include this contact on the service list.			
2a. The petitioner \(\subseteq \text{ will } \subseteq will not be represented by counsel in this proceeding. The contact information for petitioner's counsel to be included on the service list is:			
Name: Company: Street Address: City, State, Zip: Email Address: Telephone:	Kurt Burkholder Oregon Departmen 1515 SW 5 th Ave. Portland, OR 9720 kurt.burkholder@c 971-673-1898	Suite 410 01	
2b. Additional contacts to be included on the service list (a petitioner is limited to two contacts on the service list UNLESS waiving paper service):			
Name: Company: Street Address:	Chris Stine Oregon Departmen 165 E. 7 th Ave., St	nt of Environmental Quality nite 100	

City, State, Zip: Eugene, OR 97401

chris.stine@state.or.us

541-686-7810

Email Address:

Telephone:

	Name:
	Company:
	Street Address:
	City, State, Zip:
	Email Address:
	Telephone:
	Name:
	Company:
	Street Address:
	City, State, Zip:
	Email Address:
	Telephone:
	reiephone.
	Additional contacts to be included on the service list are listed on an attached
	sheet.
3. If the	he petitioner is an organization, the number of members in and the purposes of the
	zation:
Ü	
	Petitioner is a state agency.
	List of Members attached
4 TD1	
4 Ine	e nature and extent of the Petitioner's interest in the proceeding is:
	ODEQ is a party to the Klamath Hydroelectric Settlement Agreement ("KHSA").
	The KHSA establishes a process for the potential removal of facilities at
	PacifiCorp's Klamath Hydroelectric Project ("Project"). Facilities removal is the
	<u> </u>
	purpose of the surcharge that is the subject to this proceeding. The KHSA also requires PacifiCorp to perform certain interim measures up to the time of facilities
	requires I achieory to perform certain internil measures up to the time of facilities

As a party to the KHSA, ODEQ has committed to support the surcharge to the extent it is consistent with the KHSA. In addition to this interest, ODEQ will seek to view PacifiCorp's economic analysis filed in this proceeding, as that analysis will be pertinent to implementation of the KHSA.

5. The issues the Petitioner intends to raise at the proceeding are:

removal.

ODEQ intends to support the surcharge as being fair, just, and reasonable, and necessary to successful implementation in the public interest of the KHSA. ODEQ also will be available to assist with any Commission questions within the statutory authorities and expertise of ODEQ.

6. The special knowledge or expertise of the Petitioner that would assist the Commission in resolving the issues in the proceeding is:

ODEQ is a state agency with statutory authorities and expertise regarding natural resources in the Klamath River basin and FERC licensing or facilities removal at the Project. ODEQ therefore has specific knowledge and expertise regarding the resource benefits of facilities removal and of the KHSA interim measures, or, alternatively, the nature and costs of resource measures that would be required at the Project should it be relicensed by FERC instead of removed. ODEQ also is familiar with the terms of the KHSA.

7. Based on the information provided above in accordance with the Commission's rules of procedure, I request to participate in this proceeding as an intervenor. I or the organization that I represent will not unreasonably broaden the issues, burden the record, or unreasonably delay the proceeding. OAR 860-012-0001.

/s/ Kurt Burkholder
Petitioner or Petitioner's Representative

March 30, 2010 Date Signed