

1 3. If the petitioner is an organization the number of members and the purposes of the
2 organization:

3 The Department is the state agency that has authority to designate where lines,
4 fixtures and facilities may be located on roads within its jurisdiction.
5 ORS 750.010(2).

6 4. The nature and extent of the petitioner's interest in the proceeding is:

7 The Department has an interest in how costs may be allocated for the relocation of
8 utility facilities within the state's right-of-way.

9 5. The issues the Petitioner intends to raise in the proceeding:

10 The Department will raise issues to ensure that the tariff complies with the well-settled
11 common law rule that utilities are required to bear the entire cost of relocating from or
12 within a public right-of-way whenever required to do so by state or local authorities.

13 6. The special knowledge or expertise of the Petitioner that would assist the
14 commission in resolving the issues in the proceeding:

15 ODOT constructs and maintains the state's highways and has many decades of
16 experience dealing with utility facilities relocation on the state's right-of-way.
17 ODOT's participation in this proceeding will not unreasonably broaden the issues,
18 burden the record, or delay the proceeding.

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1 Based on the foregoing reasons, ODOT respectfully requests that the Commission grant the
2 Petitioner to intervene.

3 DATED this 21st day of October 2015.

4 Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of October 2015, I served a copy of the foregoing by causing a copy thereof to be sent by electronic mail to the parties listed below.

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