

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UM 1396

In the Matter of an Investigation)
Into Determination of Resource Sufficiency)
(UM 1396))
)
)
_____)

PETITION TO INTERVENE

NAME OF PETITIONER: Oregon Department of Energy

ADDRESS: 625 Marion Street N.E., Salem, OR 97301-3737

PHONE NUMBER: (503) 378-4040

FAX NUMBER: (503) 373-7806

E-MAIL ADDRESS: vijay.satyal@state.or.us

NAME OF COUNSEL FOR PETITIONER: Janet L. Prewitt, Senior Assistant Attorney General

COUNSEL'S ADDRESS: Department of Justice, Natural Resources Section 1162 Court Street
N.E., Salem, OR 97301-4096

COUNSEL'S PHONE NUMBER: (503) 947-4500

COUNSEL'S FAX NUMBER: (503) 378-3802

COUNSEL'S E-MAIL ADDRESS: janet.prewitt@doj.state.or.us

PLEASE SEND COPIES TO: Vijay Satyal, Oregon Department of Energy, 625 Marion Street
N.E., Salem, OR 97301-3737.

IF THE PETITIONER IS AN ORGANIZATION, THE NUMBER OF MEMBERS IN AND THE PURPOSES OF THE ORGANIZATION: Not applicable.

NATURE AND EXTENT OF THE PETITIONER'S INTEREST IN THE PROCEEDING:

Under ORS 469.030, the Oregon Department of Energy ("ODOE") is statutorily charged with the responsibility to study, evaluate and disseminate information about energy use in Oregon. ODOE's responsibilities include the preparation of a comprehensive energy plan under ORS 460.060 and an energy forecast under ORS 469.070. As part of these responsibilities, under ORS 469.060 ODOE is charged with making "recommendations for state and local governments to assist in the development and maximum use of cost-effective conservation and renewable resources, consistent with the energy policy stated in ORS 469.010 * * *." (ORS 469.060(3)(f)). In aid of that responsibility, ODOE "may intervene in any proceeding undertaken by an agency for the purpose of expressing its views as to the effect of an agency action, upon state energy resources and state energy policy." ORS 469.110(2).

THE ISSUES THE PETITIONER INTENDS TO RAISE AT THE PROCEEDING:

Unknown at this time.

ANY SPECIAL KNOWLEDGE OR EXPERTISE OF THE PETITIONER THAT WOULD ASSIST THE COMMISSION IN RESOLVING THE ISSUES IN THE PROCEEDING:

See description of the ODOE's interest, above.

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 860-013-0021.

Pursuant to OAR 860-013-0070(4), Petitioner hereby agrees to accept serve by electronic mail and waives other forms of service provided in OAR 860-013-0073.

Petitioner or Petitioner's Representative

Date

SERVICE LIST UM 1396

<p>Pacific Power Oregon Dockets 825 N.E. Multnomah Street, Suite 2000 Portland, OR 97232 oregondockets@pacificorp.com</p>	<p>Will K. Carey Annala, Carey, Baker, Et Al., PC P.O. Box 325 Hood River, OR 97031 wcarey@hoodriverattorneys.com</p>
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<p>Peter J. Richardson Richard & O'Leary PLLC P.O. Box 7218 Boise, ID 83707 peter@richardsonandoleary.com</p>	<p>Kip Pheil Oregon Department of Energy 625 Marion Street N.E. Salem, OR 97301-3737 kip.pheil@state.or.us</p>

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of December 2008, I served the foregoing MOTION TO INTERVENE OUT OF TIME and PETITION TO INTERVENE upon the persons named on the service list, by mailing a full, true and correct copy thereof to such persons waiving such service by mail who were served at their e-mail address as listed on the service list.

DATED: December 8, 2008

Jesse D. Ratcliffe, #04394
FOR
Janet L. Prewitt, #85307
Senior Assistant Attorney General

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UM 1396

In the Matter of an Investigation Into)
Determination of Resource Sufficiency) CORRECTED
(UM1396)) MOTION TO INTERVENE
) OUT OF TIME
_____)

The Oregon Department of Energy (“ODOE”) hereby moves for permission to intervene out of time. ODOE’s Petition to Intervene is attached to this Motion.

Granting this petition for late intervention will not broaden the issues, burden the record or unreasonably delay the proceeding nor prejudice the rights of other parties to the proceeding.

ODOE is statutorily charged, under ORS 469.060, with making “recommendations for state and local governments to assist in the development and maximum use of cost-effective conservation and renewable resources, consistent with the energy policy stated in ORS 469.010 * * *.” (ORS 469.060(3)(f)). In aid of that responsibility, ODOE “may intervene in any proceeding undertaken by an agency for the purpose of expressing its views as to the effect of an agency action, upon state energy resources and state energy policy.” ORS 469.110(2).

For the foregoing reasons, the Oregon Department of Energy respectfully requests that the Commission exercise its discretion to grant ODOE’s Motion to Intervene Out of Time.

DATED: December 8, 2008

/s/ Jesse D. Ratcliffe
Jesse D. Ratcliffe, #04394
FOR
Janet L. Prewitt, #85307
Senior Assistant Attorney General
Of Attorneys for Oregon
Department of Energy

MOTION TO INTERVENE OUT OF TIME
1187939

HARDY MYERS
Attorney General



PETER D. SHEPHERD
Deputy Attorney General

DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

December 8, 2008

Attention: Filing Center
Public Utility Commission of Oregon
550 Capitol Street N.E., Suite 215
P.O. Box 2148
Salem, Oregon 97308-2148

Re: In the Matter of an Investigation Into Determination of Resource Sufficiency
Docket No. UM 1396
DOJ File No. 330-050-GN0604-08

Enclosed are an original and one copy of Oregon Department of Energy's Motion to Intervene Out of Time and Petition to Intervene in the above-captioned matter for filing with the PUC today.

Sincerely,

Jesse D. Ratcliffe
Assistant Attorney General
Natural Resources Section

JDR:tmc/1188155
cc: Kip Pheil, ODOE
UM 1396