



DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

August 16, 2010

VIA EMAIL AND U.S. MAIL

Public Utility Commission of Oregon
Attention: Filing Center
550 Capitol Street, NE, Suite 215
PO Box 2148
Salem, OR 97308-2148
PUC.FilingCenter@state.or.us

Re: In the Matter of the
Public Utility Commission of Oregon
Investigation into Rate Structures for Electric Vehicle Charging
PUC Docket No. UM 1461

Enclosed for filing with the Public Utility Commission is the Oregon Department of Environmental Quality's (DEQ) Petition to Intervene and Motion to Intervene Out of Time in the above-captioned matter. A copy of this filing has been served on all parties to this proceeding as indicated on the attached certificate of service.

Sincerely,

/s/ Paul Logan
Paul S. Logan
Assistant Attorney in Charge
Natural Resources Section

Enclosures

C: David Collier, DEQ
Dave Nordberg, DEQ
Sue Langston, DEQ
UM 1461 Service List

PSL:JUSTICE-#2187729

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UM 1461

In the Matter of the)	
)	
PUBLIC UTILITY COMMISSION OF)	MOTION TO
OREGON)	INTERVENE
)	OUT OF TIME
Investigation into Rate Structures for)	
Electric Vehicle Charging)	
_____)	

The Oregon Department of Environmental Quality (DEQ) hereby moves for permission to intervene out of time. DEQ’s Petition to Intervene is attached to this Motion.

Granting this petition for late intervention will not unreasonably delay the proceeding nor prejudice the rights of other parties to the proceeding. DEQ is statutorily directed, under ORS 468.035(1)(c), to “advise, consult, and cooperate with other agencies of the state ... in respect to any proceedings and all matters pertaining to control of air [pollution]” In addition, DEQ is “authorized to participate in any proceeding before any ... commission ... of ... any state for the purpose of representing the citizens of Oregon concerning environmental quality.” ORS 468.045(1)(d).

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

DATED: August 16, 2010

/s/ Paul Logan
Paul S. Logan, OSB #015095
Attorney for
Oregon Department of
Environmental Quality

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UM 1461

In the Matter of the)
)
PUBLIC UTILITY COMMISSION OF)
OREGON)
) PETITION TO INTERVENE
Investigation into Rate Structures for)
Electric Vehicle Charging)
_____)

NAME OF PETITIONER: Oregon Department of Environmental Quality

ADDRESS: 811 Sixth Ave., Portland, OR 97204-1390

PHONE NUMBER: (503) 229-5177

FAX NUMBER: (503) 229-6124

E-MAIL ADDRESSES: david.collier@state.or.us
dave.nordberg@state.or.us
sue.langston@state.or.us

NAME OF COUNSEL FOR PETITIONER: Paul S. Logan, Assistant Attorney in Charge,
Natural Resources Section

COUNSEL'S ADDRESS: Department of Justice, Natural Resources Section, 1515 SW 5th Ave
Suite 410 Portland, OR 97201

COUNSEL'S PHONE NUMBER: (971) 673-1943

COUNSEL'S FAX NUMBER: (971) 673-1886

COUNSEL'S E-MAIL ADDRESS: paul.s.logan@doj.state.or.us

PLEASE SEND COPIES TO: David Collier, Oregon Department of Environmental Quality,
811 Sixth Ave., Portland, OR 97204-1390. Dave Nordberg, Oregon Department of
Environmental Quality, 811 Sixth Ave., Portland, OR 97204-1390. Sue Langston, Oregon
Department of Environmental Quality, 811 Sixth Ave., Portland, OR 97204-1390.

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:

ORS chapters 468 and 468A charge the Oregon Department of Environmental Quality (DEQ) with the responsibility to regulate air pollution in Oregon. Specifically, the 2009 legislature authorized the Oregon Environmental Quality Commission (EQC) to adopt low carbon fuel standards for transportation fuel. Or Laws 2009, ch 754, §§ 6 to 9. DEQ is in the process of developing proposed administrative rules to establish low carbon fuel standards and, per legislative directive, is considering the use of electricity as a low carbon fuel. *Id.* §§ 6(2)(a), (2)(b)(C). The development of rate structures for electric vehicle charging may affect the ultimate use of electric vehicles and therefore affect air pollution from vehicles. ORS 468.035(1)(f) requires DEQ to serve in an advisory capacity to state agencies in technical matters. In addition, ORS 468.035(1)(c) directs DEQ to advise, consult and cooperate with other state agencies in matters related to the control of air pollution. Finally, the legislature expressly authorizes DEQ "to participate in any proceeding before any ... commission ... of the ... state for the purpose of representing the citizens of Oregon concerning environmental quality." ORS 468.045(1)(d).

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 DEQ'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, and the organization that I represent, will not unreasonably broaden the issues, burden the record, or unreasonably delay the proceeding. OAR 860-012-0001(2).

Pursuant to OAR 860-013-0070(4), Petitioner hereby agrees to accept service by electronic mail and waives other forms of service provided in OAR 860-013-0070(2).

/s/ Paul Logan
Petitioner or Petitioner's Representative

August 16, 2010
Date

SERVICE LIST UM 1461

W - Denotes Waiver of Paper service			
W	Janet L. Prewitt Assistant Attorney General Natural Resources Section Oregon Department of Justice 1162 Court St NE Salem, OR 97301-4096 janet.prewitt@doj.state.or.us	W	Vijay A. Satyal Senior Policy Analyst, Energy Analyst Oregon Department of Energy 625 Marion St NE Salem, OR 97301 vijay.a.satyal@state.or.us
W	Andrea F. Simmons Oregon Department of Energy 625 Marion St NE Salem, OR 97301-3737 andrea.f.simmons@state.or.us	W	Gordon Feighner Energy Analyst Citizens' Utility Board of Oregon 610 SW Broadway, Ste 400 Portland, OR 97205 gordon@oregoncub.org
W	Robert Jenks Executive Director Citizens' Utility Board of Oregon 610 SW Broadway, Ste 400 Portland, OR 97205 bob@oregoncub.org	W	G. Catriona McCracken Legal Counsel/Staff Atty. Citizens' Utility Board of Oregon 610 SW Broadway, Ste 400 Portland, OR 97205 catriona@oregoncub.org
W	Raymond Myers Attorney Citizens' Utility Board of Oregon 610 SW Broadway, Ste 400 Portland, OR 97205 ray@oregoncub.org	W	Kevin Elliot Parks Staff Attorney Citizens' Utility Board of Oregon 610 SW Broadway, Ste 400 Portland, OR 97205 kevin@oregoncub.org
W	John A. Thornton Cleanfuture 625 NW 17 th Ave Portland, OR 97209 john.thornton@cleanfuture.us		Michael T. Weirich Assistant Attorney General Regulated Utility & Business Section Oregon Department of Justice 1162 Court St NE Salem, OR 97301-4096 michael.weirich@doj.state.or.us
W	Alana Chavez-Langdon Ecotality, Inc. 80 E Rio Salado Pkwy, Ste 710 Tempe, AZ 85281 achavez@ecotality.com	W	Dave Mayfield ETEC 308 SW First Ave. Ste. 181 Portland, OR 97204 dmayfield@etecevs.com

W - Denotes Waiver of Paper service			
	James Holbery President Gridmobility, LLC 625 Marion St. NE PO Box 2066 Kirkland, WA 98083-2066 jdh@gridmobility.com	W	Christa Bearry Idaho Power Company PO Box 70 Boise, ID 83707-0070 cbearry@idahopower.com
W	Darlene Nemnich Senior Pricing Analyst Idaho Power Company PO Box 70 Boise, ID 83707-0070 dnemnich@idahopower.com	W	Lisa D. Nordstrom Attorney Idaho Power Company PO Box 70 Boise, ID 83707-0070 lnordstrom@idahopower.com
W	Michael Youngblood Senior Pricing Analyst Idaho Power Company PO Box 70 Boise, ID 83707 myoungblood@idahopower.com	W	Adam Lowney McDowell Rackner & Gibson PC 419 SW 11 th Ave, Ste 400 Portland, OR 97205 adam@mcd-law.com
W	Wendy McIndoo Office Manager McDowell Rackner & Gibson PC 419 SW 11 th Ave, Ste 400 Portland, OR 97205 wendy@mcd-law.com	W	Lisa F. Rackner Attorney McDowell Rackner & Gibson PC 419 SW 11 th Ave, Ste 400 Portland, OR 97205 lisa@mcd-law.com
	Tracy L. Woodard Nissan North America, Inc. One Nissan Way Franklin, TN 37067 tracy.woodard@nissan-usa.com	W	Steven Weiss Senior Policy Associate Northwest Energy Coalition 4422 Oregon Trail Ct NE Salem, OR 97305 steve@nwenergy.org
W	Rick Wallace Oregon Department of Energy 625 Marion St NE Salem, OR 97301-3737 rick.wallace@state.or.us	W	Ryan Flynn Legal Counsel PacifiCorp 825 NE Multnomah, Ste 1800 Portland, OR 97232 ryan.flynn@pacificorp.com

W - Denotes Waiver of Paper service			
W	Oregon Dockets PacifiCorp, DBA Pacific Power 825 NE Multnomah St, Ste 2000 Portland, OR 97232 oregondockets@pacificorp.com	W	PGE Rates & Regulatory Affairs Portland General Electric Company 121 SW Salmon St, 1WTC0702 Portland, OR 97204 pge.opuc.filings@pgn.com
W	Rick Durst Portland General Electric 121 SW Salmon St, 1WTC1711 Portland, OR 97204 rick.durst@pgn.com	W	Doug Kuns 121 SW Salmon St, 1WTCO702 Portland, OR 97204 doug.kuns@pgn.com
W	J Richard George Portland General Electric Company 121 SW Salmon St, 1WTC1301 Portland, OR 97204 richard.george@pgn.com	W	Adam Bless Public Utility Commission of Oregon PO Box 2148 Salem, OR 97308 adam.bless@state.or.us

CERTIFICATE OF SERVICE

I hereby certify that on the sixteenth day of August 2010, I served the foregoing PETITION TO INTERVENE and MOTION TO INTERVENE OUT OF TIME upon the persons named on the service list, by mailing a full, true and correct copy thereof to the persons who have not waived service by U.S. mail, and by electronically mailing a full, true and correct copy thereof to the persons who waived service by U.S. mail.

DATED: August 16, 2010

/s/ Paul Logan
Paul S. Logan, OSB #015095
Attorney for
Oregon Department of
Environmental Quality