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**Douglas C. Tingey**  
*Associate General Counsel*

August 23, 2016

***Via Electronic Filing***

Oregon Public Utility Commission  
Attention: Filing Center  
PO Box 1088  
Salem OR 97308-1088

**Re: UE 310 – PGE Annual Power Cost Variance Mechanism (2015)**

Attention Filing Center:

Enclosed for filing in Docket UE 310 are the following:

- Motion to Admit Stipulation
- Stipulation
- Joint Explanatory Brief

These documents are to be filed electronically with the OPUC.

Thank you in advance for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "DCTingey", is written over the typed name.

Douglas C. Tingey  
Associate General Counsel

DCT:lgh

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 310**

In the Matter of

PORTLAND GENERAL ELECTRIC  
COMPANY

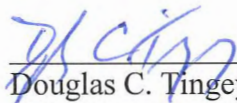
Annual Power Cost Variance Mechanism (2015)

**MOTION TO ADMIT STIPULATION**

Pursuant to OAR 860-001-0350(7), Portland General Electric Company (“PGE”) moves to admit into the record in this proceeding the Stipulation, dated August 23, 2016, on behalf of the Parties.

DATED this 23rd day of August, 2016.

Respectfully submitted,

  
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Douglas C. Tingey, OSB No. 044366  
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**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

**UE 310**

In the Matter of

PORTLAND GENERAL ELECTRIC  
COMPANY

Annual Power Cost Variance Mechanism (2015)

**STIPULATION**

This Stipulation (“Stipulation”) is among Portland General Electric Company (“PGE”), Staff of the Public Utility Commission of Oregon, the Citizens’ Utility Board of Oregon, and the Industrial Customers of Northwest Utilities (collectively, the “Parties”). There are no other parties in this docket.

**I. INTRODUCTION**

In accordance with its tariff Schedule 126, PGE filed its annual power cost variance mechanism update in this docket on June 6, 2016. Included with that filing were PGE’s testimony and work papers regarding the 2015 power cost variance and earnings test results. This information included the data required by the minimum filing requirements agreed to for Power Cost Variance (PCV) dockets. PGE’s filing showed that the 2015 power cost variance was within the deadbands contained in Schedule 126, and therefore results in no power cost variance refund or collection for 2015.

The Parties subsequently reviewed PGE's filing and work papers. The Parties held a workshop/settlement conference on July 12, 2016. As a result of those discussions, the Parties have reached agreement settling this docket as set forth below. The Parties request that the Commission issue an order adopting this Stipulation.

## **II. TERMS OF STIPULATION**

1. This Stipulation settles all issues in this docket.
2. PGE's actual power costs for 2015 were below forecast power costs but within the Schedule 126 power cost deadbands. This results in no rate impact to customers for the 2015 power cost variance. Some parties may have proposed adjustments to the power cost calculation or earnings test in this docket but such adjustments, if accepted, would not have altered the Schedule 126 rates. As such, the lack of issues being raised and decided in this docket is not to be construed as agreement to any or all of the aspects of the calculations done by PGE and is not precedent for future PCV dockets or any other case.
3. Schedule 126 rates should continue to be set at zero effective January 1, 2017.
4. The Stipulating Parties recommend and request that the Commission approve this Stipulation as an appropriate and reasonable resolution of the issues in this docket.
5. The Parties agree that this Stipulation is in the public interest and will result in rates that are fair, just and reasonable and will meet the standard in ORS 756.040.
6. The Parties agree that this Stipulation represents a compromise in the positions of the Parties. Without the written consent of all Parties, evidence of conduct or statements, including but not limited to term sheets or other documents created solely for use in settlement conferences in this docket, are confidential and not admissible in the instant or any subsequent

proceeding, unless independently discoverable or offered for other purposes allowed under ORS 40.190.

7. The Stipulating Parties have negotiated this Stipulation as an integrated document. If the Commission rejects all or any material part of this Stipulation, or adds any material condition to any final order that is not consistent with this Stipulation, each Party reserves its right: (i) to withdraw from the Stipulation, upon written notice to the Commission and the other Parties within five (5) business days of service of the final order that rejects this Stipulation, in whole or material part, or adds such material condition; (ii) pursuant to OAR 860-001-0350(9), to present evidence and argument on the record in support of the Stipulation, including the right to cross-examine witnesses, introduce evidence as deemed appropriate to respond fully to issues presented, and raise issues that are incorporated in the settlements embodied in this Stipulation; and (iii) pursuant to ORS 756.561 and OAR 860-001-0720, to seek rehearing or reconsideration, or pursuant to ORS 756.610 to appeal the Commission order. Nothing in this paragraph provides any Party the right to withdraw from this Stipulation as a result of the Commission's resolution of issues that this Stipulation does not resolve.

8. This Stipulation will be offered into the record in this proceeding as evidence pursuant to OAR 860-001-0350(7). The Parties agree to support this Stipulation throughout this proceeding and in any appeal, provide witnesses to support this Stipulation (if specifically required by the Commission), and recommend that the Commission issue an order adopting the settlements contained herein. By entering into this Stipulation, no Party shall be deemed to have approved, admitted or consented to the facts, principles, methods or theories employed by any other Party in arriving at the terms of this Stipulation. Except as provided in this Stipulation, no

Party shall be deemed to have agreed that any provision of this Stipulation is appropriate for resolving issues in any other proceeding.

9. This Stipulation may be signed in any number of counterparts, each of which will be an original for all purposes, but all of which taken together will constitute one and the same agreement.

DATED this 23<sup>rd</sup> day of August, 2016.

  
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PORTLAND GENERAL ELECTRIC  
COMPANY

\_\_\_\_\_  
STAFF OF THE PUBLIC UTILITY  
COMMISSION OF OREGON

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CITIZENS' UTILITY BOARD  
OF OREGON

\_\_\_\_\_  
INDUSTRIAL CUSTOMERS OF  
NORTHWEST UTILITIES

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DATED this \_\_\_ day of August, 2016.

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9. This Stipulation may be signed in any number of counterparts, each of which will be an original for all purposes, but all of which taken together will constitute one and the same agreement.

DATED this <sup>8<sup>th</sup></sup> day of August, 2016.

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PORTLAND GENERAL ELECTRIC  
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9. This Stipulation may be signed in any number of counterparts, each of which will be an original for all purposes, but all of which taken together will constitute one and the same agreement.

DATED this 18<sup>th</sup> day of August, 2016.

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INDUSTRIAL CUSTOMERS OF  
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**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 310**

In the Matter of

PORTLAND GENERAL ELECTRIC  
COMPANY

Annual Power Cost Variance Mechanism (2015)

**JOINT EXPLANATORY BRIEF**

This brief explains the Stipulation (“Stipulation”) dated August 23, 2016, among Portland General Electric Company (“PGE”), Staff of the Public Utility Commission of Oregon (“Staff”), the Citizens’ Utility Board of Oregon (“CUB”), and the Industrial Customers of Northwest Utilities (“ICNU”) (collectively, the “Parties”). The Parties submit this brief pursuant to OAR §860-001-0350(7).

**Discussion**

On June 6, 2016, PGE made its Annual Power Cost Variance Mechanism filing under tariff Schedule 126. That filing included testimony, work papers, and the information required by the minimum filing requirements previously agreed to regarding Schedule 126.

Tariff Schedule 126 is designed to recognize in rates in some years part of the difference between actual net variable power costs (as defined in the tariff) and the net variable power cost forecast pursuant to tariff Schedule 125. Schedule 126 defines how the Power Cost Variance is calculated, including deadbands that are applied to either a positive or negative power cost variance, and sharing of the variance outside the applicable deadband. The Power Cost Variance

is also subject to an earnings test.

PGE's filing in this docket explained how it calculated the Power Cost Variance for 2015. As calculated by PGE, the variance between forecast and actual power costs in 2015 was approximately (\$2.6 million). This is within the \$15 million Negative Annual Power Cost Deadband. As such, the sharing percentages in Schedule 126 are not applicable.

PGE's filing also performed the earnings review required by Schedule 126. The Schedule 126 return on equity (ROE) deadband is +/-100 basis points of PGE's authorized ROE, which for 2015 was 9.68%. PGE's testimony showed that PGE's final regulated adjusted 2015 ROE was 8.18%. This is outside the Schedule 126 earnings deadband, but because the Power Cost Variance is within the power cost deadband, as discussed above, the variance is not subject to this earnings test.

Following PGE's filing in this docket, PGE shared requested information with the Parties and the Parties examined PGE's filing and work papers. A settlement conference was held on July 12, 2016.

The Parties have concluded that operation of the Schedule 126 Negative Power Cost Deadband in this docket results in there being no refund to customers for the 2015 power cost variance. Some Parties may have raised issues regarding the calculation of the Power Cost Variance or earnings test, but did not do so because such adjustments, even if adopted, would not have changed the final Schedule 126 rates. Stipulation ¶ 2. Accordingly, the Stipulation provided that "the lack of issues being raised and decided in this docket is not to be construed as agreement to any or all of the aspects of the calculations done by PGE and is not precedent for future PCV dockets or any other case." Stipulation ¶ 2.

Under its terms, Schedule 126 rates are to be adjusted on January 1, 2017, to

incorporate the outcome of this docket. The Stipulation thus provides that “Schedule 126 rates should continue to be set at zero effective January 1, 2017.” Stipulation ¶ 3.

The Stipulation settles all issues in this docket. Stipulation ¶ 1. The Parties agree that the Stipulation is in the public interest and will produce rates that are fair, just and reasonable. Stipulation ¶ 5. The Stipulation also contains a number of provisions typically contained in stipulations filed with the Commission. Stipulation ¶¶ 6-9.

**Conclusion**

The Stipulation is among Staff, CUB, ICNU, and PGE. Each of the Parties, representing their respective interests, agree that the settlement contained in the Stipulation results in fair, just and reasonable rates in this 2015 Annual Power Cost Variance Mechanism proceeding. The result is consistent with and supported by the record in this docket. For the reasons set forth above, the Parties request that the Commission approve the Stipulation.

DATED this 23<sup>rd</sup> day of August, 2016.

PORTLAND GENERAL ELECTRIC  
COMPANY



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Stipulation ¶ 5. The Stipulation also contains a number of provisions typically contained in stipulations filed with the Commission. Stipulation ¶¶ 6-9.

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DATED this \_\_\_\_ day of August, 2016.

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DATED this 8<sup>th</sup> day of August, 2016.

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DATED this 16<sup>th</sup> day of August, 2016.

PORTLAND GENERAL ELECTRIC  
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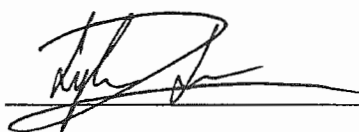
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