

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UE 170

In the Matter of	)	
	)	
PACIFIC POWER & LIGHT COMPANY	)	RULING
(dba PacifiCorp)	)	
	)	
Request for a General Rate Increase in the	)	
Company's Oregon Annual Revenues.	)	

**DISPOSITION: MOTION DENIED; AMENDMENTS TO  
PREHEARING BRIEF ALLOWED**

On May 27, 2005, I issued a ruling that set July 13, 2005, as the due date for the prehearing brief. On June 14, 2005, I issued a ruling with the requirements for the prehearing brief. On July 6, 2005, Staff requested that the schedule be amended to allow the prehearing brief to be filed by noon on July 18, 2005, because the short time frame between the filing of PacifiCorp's surrebuttal testimony (July 11) and the filing of the prehearing briefs (July 13) would not give Staff sufficient time to consider the effect of PacifiCorp's testimony on Staff's case. Staff indicated that it contacted the Citizens' Utility Board and the Industrial Customers of Northwest Utilities, and that neither party opposed the request. It is unclear whether PacifiCorp was contacted.

As stated in my June 14, 2005 ruling, the purpose of the prehearing brief is to provide the Commission and Administrative Law Judge with a brief narrative of a party's position on all contested issues. The party filing the brief need not make argument, or cite testimony, about its position. I was aware that PacifiCorp would file its surrebuttal testimony on July 11, 2005, when I initially established July 13 as the due date for the brief. It was my opinion that minimal, if any, changes would be necessary to any party's prehearing brief, as two rounds of testimony had already been completed. It seemed reasonable that any changes in a party's position could be incorporated on short notice.

Nothing presented in the motion convinces me that the filing date of the brief should be delayed until two days prior to the hearing. Moreover, such a delay, if granted, would greatly diminish the value of a prehearing brief. Therefore, the prehearing briefs, along with the cross-examination statements, are due on July 13, 2005. However, an Intervenor or Staff may file an amended narrative to a specific issue raised by PacifiCorp's surrebuttal testimony by noon on July 15, 2005.

Dated at Salem, Oregon, this 7th day of July, 2005.

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Kathryn A. Logan  
Administrative Law Judge