



Oregon

John A. Kitzhaber, MD, Governor

Public Utility Commission

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November 20, 2013

TO: UG 266 Service List


RE: Notice of *Ex Parte* Communication

The purpose of this letter is to notify all parties to docket UG 266 of an *ex parte* communication that occurred in an e-mail sent by Commissioner Bloom to some, but not all, parties.

On November 19, 2013, Commissioner Bloom sent an e-mail to Lisa Rackner, counsel for Northwest Natural Gas Company, to point out errors in transcript attached to testimony of Barbara Summers submitted by the company on November 18, 2013. Commissioner Bloom, who copied the e-mail to certain Commission employees and parties, noted that some of the statements transcribed from the October 28, 2013 Public Meeting were attributed incorrectly. A copy of Commissioner Bloom's e-mail, as well as Chief Administrative Law Judge Michael Grant's reply to all recipients, is attached.

OAR 860-001-0340(2) sets forth the circumstances that constitute an *ex parte* communication. OAR 860-001-0340(5) sets forth the duties of the presiding ALJ in the event an *ex parte* communication occurs.

The e-mail meets the definition of *ex parte* communication under OAR 860-001-0340(2) and must be disclosed. Copies of the comments will be placed in the record. Pursuant to OAR 860-001-340(7), any party may file a written rebuttal to the *ex parte* communication, within 10 days, with service to other parties to the proceeding.



Allan J. Arlow
Administrative Law Judge
Public Utility Commission of Oregon

Attachment



GRANT Michael

From: GRANT Michael
Sent: Tuesday, November 19, 2013 4:21 PM
To: BLOOM Stephen; 'Lisa Rackner'
Cc: ACKERMAN Susan; SAVAGE John F.; ARLOW Allan; EISDORFER Jason; COLVILLE Erik; 'Catriona McCracken'
Subject: RE: UG 266

I have discussed this matter with Commissioner Bloom and informed him that Allan Arlow, as the presiding Administrative Law Judge in this matter, can work with the parties to address the identified errors in the transcript.

I also notified Commissioner Bloom that his email, and this reply, will be noticed to the parties in UG 266 as an *ex parte* communication.

Michael Grant

Chief Administrative Law Judge
Public Utility Commission of Oregon
(503) 378-6102

From: BLOOM Stephen
Sent: Tuesday, November 19, 2013 4:11 PM
To: 'Lisa Rackner'
Cc: ACKERMAN Susan; SAVAGE John F.; GRANT Michael; ARLOW Allan; EISDORFER Jason; COLVILLE Erik; 'Catriona McCracken'
Subject: UG 266

Good afternoon, Lisa.

I just finished reading Mark and Barbara's Testimony in the above-referenced matter.

I write to point out what I believe to be a couple of errors in the transcript of the public meeting that were attached to Barbara's testimony:

1. I believe the statements on page 8 and 9 attributed to Erik Colville are really the statements of Mr. Campbell from Clean Energy.
 - a. Campbell is talking on page 7 and 8, responding to questions from Susan, and then the court reporter shifts to "Colville".
 - b. See also page 9, line 3, where allegedly Colville "would like to have the tariff disapproved" etc.
 - c. Which I believe is inconsistent with Erik's staff report (see page 5, line 15-16).
2. I believe the comments attributed to me on page 28, beginning at line 10, are really Bob Jenk's.
 - a. See Susan's comments to "Bob" on line 23, page 28.
 - b. And, I know that Bob drives an "alternative -fueled vehicle" (see line 17, page 28); no one would ever confuse my 16 year old car as "alternative-fueled"...:-).

Not earth shaking...but if I am correct, it is better to correct those errors, n'est pas?

Steve

Steve Bloom
PUC Commissioner
503 378 6611

The PUC is moving to 3930 Fairview Industrial Drive SE, Salem Oregon 97302, PO Box 1088, Salem Oregon 97308-1088
in August.

We will move the first two weekends in August. We will be open for business at our new location beginning August
12, 2013.

Our phone numbers will stay the same.