

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 1859

Falls Creek Hydro, Limited Partnership,

Complainant,

v.

Portland General Electric Company,

Defendant

NOTICE OF AMENDED COMPLAINT
AND MOTION TO REINSTATE
PROCEDURAL SCHEDULE

Pursuant to ORCP 23A and OAR 860-001-0420, Falls Creek H.P., Limited Partnership (“Falls Creek”) is filing its First Amended Complaint contemporaneously with the filing of this motion and moves the Oregon Public Utility Commission (“OPUC” or “Commission”) for an order reinstating the procedural schedule in this matter.

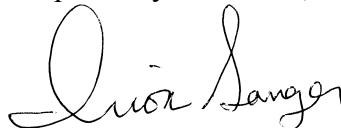
Falls Creek filed its Complaint initiating this docket on August 7, 2017. On September, 20, 2017, Falls Creek filed a motion to suspend the answer due date because the parties had reached a settlement in principle. Administrative Law Judge (“ALJ”) Allan Arlow issued a ruling on September 22, 2017 temporarily suspending the procedural schedule. The parties filed status reports on October 13, 2017, November 17, 2017, and March 6, 2017 noting in each that they need additional time to discuss their settlement. It has now been over 7 months since the Complaint was filed and over 6 months since the parties reached a settlement in principle. The parties have been unable to finalize that settlement.

Pursuant to ORCP 23A, a party is permitted to file an amended pleading once as a matter of course at any time before a responsive pleading has been served. Falls Creek, is filing its First Amended Complaint contemporaneously with the filing of this motion.

Pursuant to OAR 860-001-0420, Falls Creek moves this Commission for an order reinstating the procedural schedule in this docket and requiring that PGE respond to the First Amended Complaint. Falls Creek Hydro requests that resolution of this case be reached as expeditiously as possible because there are impending interconnection agreement deadlines. Depending on the outcome of this case, Falls Creek Hydro may need to be decommissioned, and in that event, an earlier resolution is preferable so that Falls Creek Hydro can avoid certain interconnection expenses.

Dated this 6th day of April 2018.

Respectfully submitted,



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