

Davison Van Cleve PC

Attorneys at Law

TEL (503) 241-7242 • FAX (503) 241-8160 • mail@dvclaw.com
Suite 400
333 S.W. Taylor
Portland, OR 97204

February 15, 2005

Via Electronic Mail and US Mail

Public Utility Commission
Attn: Filing Center
550 Capitol St. NE #215
P.O. Box 2148
Salem OR 97308-2148

Re: In the Matter of PUBLIC UTILITY COMMISSION OF OREGON Staff's
Request to Open an Investigation Related to the Implementation of
ORS § 757.612
Docket No. UM 1169

Dear Filing Center:

Enclosed please find an original and two copies of the Response of the Industrial Customers of Northwest Utilities to the Citizens' Utility Board of Oregon's Motion to Suspend Proceeding in the above-captioned docket.

Please return one file-stamped copy of the document in the self-addressed, stamped envelope provided. Please call me at (503) 241-7242 if you have any questions. Thank you for your assistance.

Sincerely yours,

/s/ Ally L. Smith
Ally L. Smith

Enclosures
cc: Service List

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1169

In the Matter of the)	
)	
PUBLIC UTILITY COMMISSION OF)	RESPONSE OF THE INDUSTRIAL
OREGON STAFF'S)	CUSTOMERS OF NORTHWEST
)	UTILITIES TO THE CITIZENS' UTILITY
Request to Open an Investigation Related to)	BOARD OF OREGON'S MOTION TO
the Implementation of ORS § 757.612.)	SUSPEND PROCEEDING
_____)	

Pursuant to the Ruling issued in Public Utility Commission of Oregon ("OPUC" or "Commission") Docket No. UM 1169 on February 9, 2005, the Industrial Customers of Northwest Utilities ("ICNU") submits this Response to the Citizens' Utility Board of Oregon's ("CUB") Motion to Suspend Proceeding. As CUB indicated, ICNU supports CUB's Motion. ICNU also, however, believes that as an alternative to suspension, the Commission should dismiss this docket.

As CUB stated in its Motion, at this point it is unknown whether the legal questions in UM 1169 are even relevant or ripe. Re An Investigation Related to the Implementation of ORS § 757.612, OPUC Docket No. UM 1169, Motion to Suspend Proceeding of the Citizens' Utility Board of Oregon at 3 (Feb. 4, 2005). Moreover, the Commission's investigation in UM 1056 will examine issues that will address and possibly moot legal and policy questions in UM 1169. Id. at 4. For these reasons, it is ICNU's position that the Commission should dismiss the UM 1169 docket at this time. After the conclusion of UM 1056 and the completion of a conservation potential study, if relevant and ripe legal and policy questions exist, the Commission can open a docket to

address those questions. At this point, however, it is impossible to predict precisely what those questions might be. Therefore, it is most appropriate that the Commission dismiss, rather than suspend, the proceedings in UM 1169.

WHEREFORE, ICNU respectfully requests that in the alternative to suspending the proceedings in UM 1169, the Commission dismiss the docket.

Dated this 15th day of February, 2005.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ Sarah C. Yasutake

Melinda J. Davison

Sarah C. Yasutake

Davison Van Cleve, P.C.

333 S.W. Taylor, Suite 400

Portland, Oregon 97204

(503) 241-7242 phone

(503) 241-8160 facsimile

mail@dvclaw.com

Of Attorneys for Industrial Customers of
Northwest Utilities

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Response of the Industrial Customers of the Northwest Utilities to the Citizens' Utility Board of Oregon's Motion to Suspend Proceeding upon the service list, shown below, by causing the same to be mailed, postage pre-paid, to all parties on the official service list, via U.S. Mail.

Dated at Portland, Oregon, this 15th day of February, 2005.

/s/ Ally L. Smith
Ally L. Smith

RATES & REGULATORY AFFAIRS PORTLAND GENERAL ELECTRIC RATES & REGULATORY AFFAIRS 121 SW SALMON STREET, 1WTC0702 PORTLAND OR 97204 pge.opuc.filings@pgn.com	STEPHANIE S ANDRUS DEPARTMENT OF JUSTICE REGULATED UTILITY & BUSINESS SECTION 1162 COURT ST NE SALEM OR 97301-4096 stephanie.andrus@state.or.us
JULIE BRANDIS ASSOCIATED OREGON INDUSTRIES 1149 COURT ST NE SALEM OR 97301-4030 jbrandis@aoi.org	JACK BREEN PUBLIC UTILITY COMMISSION PO BOX 2148 SALEM OR 97308-2148 jack.breen@state.or.us
LOWREY R BROWN CITIZENS' UTILITY BOARD OF OREGON 610 SW BROADWAY, SUITE 308 PORTLAND OR 97205 lowrey@oregoncub.org	KEN CANON INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES 825 NE MULTNOMAH STE 180 PORTLAND OR 97232-2158 kcanon@icnu.org
PHIL CARVER OREGON OFFICE OF ENERGY 625 MARION ST NE STE 1 SALEM OR 97301-3742 philip.h.carver@state.or.us	JASON EISDORFER CITIZENS' UTILITY BOARD OF OREGON 610 SW BROADWAY STE 308 PORTLAND OR 97205 jason@oregoncub.org

<p>JAMES F FELL STOEL RIVES LLP 900 SW 5TH AVE STE 2600 PORTLAND OR 97204-1268 jffell@stoel.com</p>	<p>TROY GAGLIANO RENEWABLE NORTHWEST PROJECT 917 SW OAK, SUITE 303 PORTLAND OR 97205 troy@rnp.org</p>
<p>ANN ENGLISH GRAVATT RENEWABLE NORTHWEST PROJECT 917 SW OAK - STE 303 PORTLAND OR 97205 ann@rnp.org</p>	<p>KATHERINE A MCDOWELL STOEL RIVES LLP 900 SW FIFTH AVE STE 1600 PORTLAND OR 97204-1268 kamcdowell@stoel.com</p>
<p>CHRISTY OMOHUNDRO PACIFICORP 825 NE MULTNOMAH BLVD STE 800 PORTLAND OR 97232 christy.omohundro@pacificorp.com</p>	<p>JANET L PREWITT DEPARTMENT OF JUSTICE 1162 COURT ST NE SALEM OR 97301-4096 janet.prewitt@doj.state.or.us</p>
<p>V DENISE SAUNDERS PORTLAND GENERAL ELECTRIC 121 SW SALMON ST 1WTC1301 PORTLAND OR 97204 denise.saunders@pgn.com</p>	<p>JOHN W STEPHENS ESLER STEPHENS & BUCKLEY 888 SW FIFTH AVE STE 700 PORTLAND OR 97204-2021 stephens@eslerstephens.com</p>
<p>STEVEN WEISS NORTHWEST ENERGY COALITION 4422 OREGON TRAIL CT NE SALEM OR 97305 steve@nwenergy.org</p>	

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