

HARDY MYERS
Attorney General



PETER D. SHEPHERD
Deputy Attorney General

DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

February 28, 2005

VIA EMAIL AND U.S. MAIL

Kathryn Logan
Administrative Law Judge
Administrative Hearings Division
Public Utility Commission of Oregon
550 Capitol Street NE, Suite 215
Salem, OR 97301-2551
kathryn.logan@state.or.us

Re: *In the Matter of an Investigation Regarding Competitive Bidding (UM 1182)*
PUC Docket No. UM 1182
DOJ File No. 330-050-GN0061-05

Enclosed are an original and five copies of Oregon Department of Energy's Motion to Intervene Out of Time and Petition to Intervene in the above-captioned matter for filing with the Public Utility Commission today.

Sincerely,

Janet L. Prewitt
Assistant Attorney General
Natural Resources Section

Enclosures
c: Phil Carver, ODOE
UM 1182 Service List

JLP:jrs/GENL8186

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UM 1182

In the Matter of an Investigation)
Regarding Competitive Bidding) MOTION TO
(UM 1182)) INTERVENE
) OUT OF TIME
_____)

The Oregon Department of Energy (ODOE) hereby moves for permission to intervene out of time. ODOE's Petition to Intervene is attached to this Motion.

Granting this petition for late intervention will not broaden the issues, burden the record or unreasonably delay the proceeding nor prejudice the rights of other parties to the proceeding. ODOE is a party to the companion case UM 1056.

ODOE is statutorily charged, under ORS 469.060, with making "recommendations for state and local governments to assist in the development and maximum use of cost-effective conservation and renewable resources, consistent with the energy policy stated in ORS 469.010 * * *." (ORS 469.060(3)(f)). In aid of that responsibility, ODOE "may intervene in any proceeding undertaken by an agency for the purpose of expressing its views as to the effect of an agency action, upon state energy resources and state energy policy." ORS 469.110(2).

For the foregoing reasons, the Oregon Department of Energy respectfully requests that the Commission exercise its discretion to grant ODOE's Motion to Intervene Out of Time.

DATED: February 28, 2005

Janet L. Prewitt
Attorney for
Oregon Department of Energy

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UM 1182

In the Matter of an Investigation)
Regarding Competitive Bidding) PETITION TO
(UM 1182)) INTERVENE
)
)
_____)

NAME OF PETITIONER: Oregon Department of Energy

ADDRESS: 625 Marion Street NE, Salem, OR 97310

PHONE NUMBER: (503) 378-6678

FAX NUMBER: (503) 378-6163

E-MAIL ADDRESS: philip.h.carver@state.or.us

NAME OF COUNSEL FOR PETITIONER: Janet Prewitt

COUNSEL'S ADDRESS: Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096

COUNSEL'S PHONE NUMBER: (503) 947-4500

COUNSEL'S FAX NUMBER: (503) 378-3802

COUNSEL'S E-MAIL ADDRESS: janet.prewitt@doj.state.or.us

PLEASE SEND COPIES TO: Philip H. Carver, Oregon Department of Energy, 625 Marion Street NE, Salem, OR 97301-3742.

IF THE PETITIONER IS AN ORGANIZATION, THE NUMBER OF MEMBERS IN AND THE PURPOSES OF THE ORGANIZATION: N/A

NATURE AND EXTENT OF THE PETITIONER'S INTEREST IN THE PROCEEDING:

Under ORS 469.030, the Oregon Department of Energy is statutorily charged with the responsibility to study, evaluate and disseminate information about energy use in Oregon. ODOE's responsibilities include the preparation of a comprehensive energy plan under ORS 460.060 and an energy forecast under ORS 469.070. As part of these responsibilities, under ORS 469.060 ODOE is charged with making "recommendations for state and local governments to assist in the development and maximum use of cost-effective conservation and renewable resources, consistent with the energy policy stated in ORS 469.010 * * *." (ORS 469.060(3)(f)). In aid of that responsibility, ODOE "may intervene in any proceeding undertaken by an agency for the purpose of expressing its views as to the effect of an agency action, upon state energy resources and state energy policy." ORS 469.110(2).

THE ISSUES THE PETITIONER INTENDS TO RAISE AT THE PROCEEDING:

Unknown at this time.

ANY SPECIAL KNOWLEDGE OR EXPERTISE OF THE PETITIONER THAT WOULD ASSIST THE COMMISSION IN RESOLVING THE ISSUES IN THE PROCEEDING:

See description of the Department of Energy's interest, above.

Based on the information provided above in accordance with the Commission's rules of procedure, I request to participate in this proceeding as an intervenor. I or the organization that I represent will not unreasonably broaden the issues, burden the record, or unreasonably delay the proceeding. OAR 860-013-0021.

Petitioner or Petitioner's Representative

Date

SERVICE LIST UM 1169

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of February 2005, I served the foregoing MOTION TO INTERVENE OUT OF time and PETITION TO INTERVENE, upon, the persons named on the attached service list, by mailing a full, true and correct copy thereof addressed to the persons at the addresses on the service list.

DATED: February 28, 2005

Janet L. Prewitt, #85307
Assistant Attorney General