

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE-219

In the Matter of Application to Implement
the Provisions of Senate Bill 76

Docket UE-219

PETITION TO INTERVENE
 and WAIVER OF PAPER
SERVICE

The Oregon Water Resources Department ("OWRD") petitions to intervene in this proceeding. In support of this petition, the following is provided:

1. The contact information (name, address, email address) of the petitioner is:

Name: Mary Grainey
Company: Oregon Water Resources Department
Street Address: 725 Summer St. NE, Suite A
City, State, Zip: Salem, OR 97301
Email Address: mary.s.grainey@ wrd.state.or.us
Telephone: 503-986-0833

Please include this contact on the service list.

2a. The petitioner will will not be represented by counsel in this proceeding. The contact information for petitioner's counsel to be included on the service list is:

Name: Kurt Burkholder
Company: Oregon Department of Justice
Street Address: 1515 SW 5th Ave. Suite 410
City, State, Zip: Portland, OR 97201
Email Address: kurt.burkholder@doj.state.or.us
Telephone: 971-673-1898

2b. Additional contacts to be included on the service list (a petitioner is limited to two contacts on the service list UNLESS waiving paper service):

Name: Ron C. Kohanek
Company: Oregon Water Resources Department
Street Address: 725 Summer St. NE, Suite A
City, State, Zip: Salem, OR 97301
Email Address: ron.c.kohanek@ wrd.state.or.us
Telephone: 503-986-0823

Name:
Company:
Street Address:
City, State, Zip:
Email Address:
Telephone:

Name:
Company:
Street Address:
City, State, Zip:
Email Address:
Telephone:

Additional contacts to be included on the service list are listed on an attached sheet.

3. If the petitioner is an organization, the number of members in and the purposes of the organization:

Petitioner is a state agency.

List of Members attached

4.. The nature and extent of the Petitioner's interest in the proceeding is:

OWRD is a party to the Klamath Hydroelectric Settlement Agreement ("KHSA"). The KHSA establishes a process for the potential removal of facilities at PacifiCorp's Klamath Hydroelectric Project ("Project"). Facilities removal is the purpose of the surcharge that is the subject to this proceeding. The KHSA also requires PacifiCorp to perform certain interim measures up to the time of facilities removal.

As a party to the KHSA, OWRD has committed to support the surcharge to the extent it is consistent with the KHSA. In addition to this interest, OWRD will seek to view PacifiCorp's economic analysis filed in this proceeding, as that analysis will be pertinent to implementation of the KHSA.

5. The issues the Petitioner intends to raise at the proceeding are:

OWRD intends to support the surcharge as being fair, just, and reasonable, and necessary to successful implementation in the public interest of the KHSA. OWRD also will be available to assist with any Commission questions within the statutory authorities and expertise of OWRD.

6. The special knowledge or expertise of the Petitioner that would assist the Commission in resolving the issues in the proceeding is:

OWRD is a state agency with statutory authorities and expertise regarding natural resources in the Klamath River basin and FERC licensing or facilities removal at the Project. OWRD therefore has specific knowledge and expertise regarding the resource benefits of facilities removal and of the KHSA interim measures, or, alternatively, the nature and costs of resource measures that would be required at the Project should it be relicensed by FERC instead of removed. OWRD also is familiar with the terms of the KHSA.

7. 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 860-012-0001.

 /s/ Kurt Burkholder
Petitioner or Petitioner's Representative

April 1, 2010
Date Signed