

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1789, UE 311, UP 344

In the Matters of

PORTLAND GENERAL ELECTRIC
COMPANY,

Application to Defer Revenues and Costs
Related to the Environmental Remediation
Costs Recovery Adjustment,
Schedule 149 (UM 1789);

Schedule 149, Environmental Remediation
Costs Recovery Adjustment (UE 311);

and

Application for Approval of Sale of Harborton
Restoration Project Property (UP 344)

PREHEARING CONFERENCE
MEMORANDUM

On August 9, 2016, the Public Utility Commission of Oregon held a prehearing conference in this docket. Representatives appeared on behalf of Portland General Electric Company, the Industrial Customers of Northwest Utilities (ICNU), the Citizens' Utility Board of Oregon (CUB), and Commission Staff.

Petitions to Intervene

Before the conference, a petition to intervene was filed by ICNU. No party attending the conference objected to the petition. Upon review of the petition, I find that ICNU has sufficient interest in the proceedings to participate and that participation will not unreasonably broaden the issues, burden the record, or delay the proceedings.¹ The petition is therefore granted. In addition, CUB filed a notice of intervention on August 1, 2016 in compliance with ORS 774.180.

¹ See OAR 860-001-0300.

Procedural Schedule

The parties agreed to the following procedural schedule, which is adopted:

EVENT	DATE
Proposed Budgets for Intervenor Funding due	September 7, 2016
Staff and Intervenor Reply Testimony	September 23, 2016
Commission Workshop	October 3, 4, or 5, 2016
Settlement Conference ²	October 11, 2016
PGE Rebuttal Testimony	October 21, 2016
Staff and Intervenor Surrebuttal Testimony	November 2, 2016
PGE Sursurrebuttal Testimony	November 10, 2016
Cross Exam Statements and Cross Exam Exhibits	November 14, 2016
Hearing (tentative)	November 17, 2016
Simultaneous Opening Briefs	December 9, 2016
Simultaneous Reply Briefs	December 23, 2016
Closing Oral Arguments (if requested)	TBD

The parties agreed to a five business-day data response time beginning August 10, 2016.

Dated this 10th day of August, 2016, at Salem, Oregon.



Ruth Harper
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures

² The settlement conference date is included in the schedule for the parties' convenience. The parties do not need Commission approval to reschedule settlement conferences.

NOTICE OF CONTESTED CASE RIGHTS AND PROCEDURES

Oregon law requires state agencies to provide parties written notice of contested case rights and procedures. Under ORS 183.413, you are entitled to be informed of the following:

Hearing: The time and place of any hearing held in these proceedings will be noticed separately. The Commission will hold the hearing under its general authority set forth in ORS 756.040 and use procedures set forth in ORS 756.518 through 756.610 and OAR Chapter 860, Division 001. Copies of these statutes and rules may be accessed via the Commission's website at www.puc.state.or.us. The Commission will hear issues as identified by the parties.

Right to Attorney: As a party to these proceedings, you may be represented by counsel. Should you desire counsel but cannot afford one, legal aid may be able to assist you; parties are ordinarily represented by counsel. The Commission Staff, if participating as a party in the case, will be represented by the Department of Justice. Generally, once a hearing has begun, you will not be allowed to postpone the hearing to obtain counsel.

Administrative Law Judge: The Commission has delegated the authority to preside over hearings to Administrative Law Judges (ALJs). The scope of an ALJ's authority is defined in OAR 860-001-0090. The ALJs make evidentiary and other procedural rulings, analyze the contested issues, and present legal and policy recommendations to the Commission.

Hearing Rights: You have the right to respond to all issues identified and present evidence and witnesses on those issues. *See* OAR 860-001-0450 through OAR 860-001-0490. You may obtain discovery from other parties through depositions, subpoenas, and data requests. *See* ORS 756.538 and 756.543; OAR 860-001-0500 through 860-001-0540.

Evidence: Evidence is generally admissible if it is of a type relied upon by reasonable persons in the conduct of their serious affairs. *See* OAR 860-001-0450. Objections to the admissibility of evidence must be made at the time the evidence is offered. Objections are generally made on grounds that the evidence is unreliable, irrelevant, repetitious, or because its probative value is outweighed by the danger of unfair prejudice, confusion of the issues, or undue delay. The order of presenting evidence is determined by the ALJ. The burden of presenting evidence to support an allegation rests with the person raising the allegation. Generally, once a hearing is completed, the ALJ will not allow the introduction of additional evidence without good cause.

Record: The hearing will be recorded, either by a court reporter or by audio digital recording, to preserve the testimony and other evidence presented. Parties may contact the court reporter about ordering a transcript or request, if available, a copy of the audio recording from the Commission for a fee set forth in OAR 860-001-0060. The hearing record will be made part of the evidentiary record that serves as the basis for the Commission's decision and, if necessary, the record on any judicial appeal.

Final Order and Appeal: After the hearing, the ALJ will prepare a draft order resolving all issues and present it to the Commission. The draft order is not open to party comment. The Commission will make the final decision in the case and may adopt, modify, or reject the ALJ's recommendation. If you disagree with the Commission's decision, you may request reconsideration of the final order within 60 days from the date of service of the order. *See* ORS 756.561 and OAR 860-001-0720. You may also file a petition for review with the Court of Appeals within 60 days from the date of service of the order. *See* ORS 756.610.