

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1953

In the Matter of

PORTLAND GENERAL ELECTRIC  
COMPANY,

Investigation of Proposed Green Tariff  
Filing.

PREHEARING CONFERENCE  
MEMORANDUM

On May 24, 2018, a prehearing conference was held regarding a filing by Portland General Electric Company (PGE) of a proposed green tariff. Appearances were entered on behalf of Commission Staff, PGE, the Oregon Citizens' Utility Board, Renewable Northwest, Calpine Energy Solutions, Northwest & Intermountain Power Producers Coalition, Northwest Energy Coalition, the Alliance of Western Energy Consumers, and Walmart.

PGE filed a motion to reopen docket UM 1690 to address the company's proposed green tariff, but Staff proposed opening a new docket instead. No party opposed opening a new docket, and it was determined that a new investigatory docket, UM 1953, would be opened—as captioned above. This prehearing conference memorandum has been issued in the new docket, but also served in docket UM 1690.

The primary purpose of the conference was to establish a procedural schedule to address PGE's proposed green tariff. The following procedural schedule was proposed and adopted:

EVENT	DATE
Staff and all parties (except PGE) file Response Testimony	July 18, 2018
Settlement Conference <sup>1</sup>	August 8, 2018 or August 10, 2018
All parties Cross-Answering Testimony	September 5, 2018
All parties Cross-Exam Statements	September 24, 2018
Hearing (tentative, subject to change)	October 3, 2018 (afternoon)
Opening Briefs	October 24, 2018
Closing Briefs	November 7, 2018
Target Order Date	December 21, 2018

<sup>1</sup> Parties will independently agree to the date and time and need not consult the Commission. The proposed dates for a settlement conference are included in this schedule for convenience.

Since a new docket was opened, conference participants that had recently filed motions or petitions to intervene were asked to make oral motions to transfer the filings to the new docket UM 1953. These motions were granted and the pertinent filings will be ruled upon in docket UM 1953. At least one petition to intervene was recently filed by a person not represented at the prehearing conference; this person is asked to submit correspondence asking that the petition to intervene be transferred to docket UM 1953. Other parties in docket UM 1690 that wish to intervene in in the new docket are asked to file petitions to intervene in docket UM 1953. Walmart's Motion for Admission *pro hac vice* of Vicki M. Baldwin was orally granted. A ruling will be separately issued.

Dated this 25<sup>th</sup> day of May, 2018, at Salem, Oregon.



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Traci A. G. Kirkpatrick  
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures

## 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](http://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.