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June 1, 2020

Via Electronic Filing

Public Utility Commission of Oregon
Attn: Filing Center
201 High St. SE, Suite 100
Salem OR 97301

Re: In the Matter of PORTLAND GENERAL ELECTRIC COMPANY,
Renewable Resource Automatic Adjustment Clause (Schedule 122)
Docket No. UE 370; and
In the Matter of PORTLAND GENERAL ELECTRIC COMPANY,
Renewable Resource Automatic Adjustment Clause (Schedule 122)
(BPSC Energy Storage Microgrid and ARC Energy Storage)
Docket No. UE 372 (Consolidated)

Dear Filing Center:

Please find enclosed the Motion of the Alliance of Western Energy Consumers to Modify the Procedural Schedule in the above-referenced dockets.

Thank you for your assistance. If you have any questions, please do not hesitate to call.

Sincerely,

/s/ Jesse O. Gorsuch
Jesse O. Gorsuch

Enclosure

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 370, UE 372

In the Matters of)	
)	
PORTLAND GENERAL ELECTRIC)	MOTION OF ALLIANCE OF
COMPANY,)	WESTERN ENERGY CONSUMERS TO
)	MODIFY PROCEDURAL SCHEDULE
)	
Renewable Resource Automatic)	EXPEDITED CONSIDERATION
Adjustment Clause (Schedule 122))	REQUESTED
(Wheatridge Renewable Energy Farm))	
(UE 370), and)	
)	
Renewable Resource Automatic)	
Adjustment Clause (Schedule 122))	
(BPSC Energy storage Microgrid and)	
ARC Energy Storage) (UE 372))	
_____)	

Pursuant to OAR 860-001-0420, the Alliance of Western Energy Consumers (“AWEC”) hereby moves to modify the procedural schedule adopted in the Administrative Law Judge’s (“ALJ”) May 29, 2020 Ruling. Specifically, AWEC moves that the Public Utility Commission of Oregon (“Commission”) maintain the cross examination statement due date established at the January 16, 2020 prehearing conference, and if the Commission feels it needs additional time between submission of cross exhibits and the hearing, to move the hearing date, currently scheduled for June 16, 2020, back to a mutually agreeable date. AWEC has conferred with Portland General Electric Company (“PGE”), Commission (“Staff”), and the Oregon Citizens’ Utility Board (“CUB”). All parties support this Motion. Because the ALJ’s Ruling establishes a due date for cross examination exhibits on June 5, 2020, AWEC seeks expedited consideration of this Motion.

MOTION

On January 16, 2020, the ALJ adopted a schedule that included the following events:

EVENT	DATE
PGE Surrebuttal Testimony	June 3, 2020
Cross Exam Statements Due	June 9, 2020
Hearing (tentative)	June 16, 2020

As relevant to this Motion, on May 29, 2020, ALJ Arlow modified the schedule as follows:

EVENT	DATE
PGE Surrebuttal Testimony	June 3, 2020
Cross Exam Statements, including the intention to waive cross-examination, Due	June 5, 2020
Joint Submission of Proposed Dates for Oral Argument (conditioned upon unanimous waive of right to cross-examine witnesses)	June 12, 2020
Hearing (conditioned upon filing of cross-examination statements identifying witnesses to be cross-examined).	June 16, 2020

Of specific concern to AWEC is the change in cross examination statement due date from June 9, 2020 to June 5, 2020. According to the Commission, the change is necessary “[i]n light of the needs of the Commission in preparing to participate in these proceedings.”^{1/}

AWEC does not wish to deprive the Commission of the ability to fully prepare for a potential hearing in this case, but is concerned that the short turnaround the Commission has now provided between PGE’s surrebuttal testimony (June 3, 2020) and the deadline for cross statements and exhibits (June 5, 2020) will give non-Company parties no time to issue any data requests on PGE’s surrebuttal testimony and include responses as cross examination exhibits.

^{1/} Docket Nos. UE 370 and UE 372, Law Judge Ruling/Memoranda, at 1 (May 29, 2020)

An inability to issue discovery on PGE's surrebuttal testimony prejudices the non-Company parties by denying them a full opportunity to acquire evidence in response to any arguments or data PGE makes in this testimony. Additionally, while AWEC does not waive its right to a hearing in this matter, it recognizes the logistical challenge holding a hearing remotely during the ongoing COVID-19 pandemic may create. An inability to issue and receive discovery on PGE's closing testimony may make a hearing in this case more likely because AWEC will need to ask questions live that it could have received through discovery. If AWEC is able to answer any questions it would have at a hearing through the discovery process and can include those responses as cross-examination exhibits, then it fully intends to waive cross examination and hearing. Thus, the change in procedural schedule may increase administrative burdens in the above-mentioned dockets.

If the Commission feels it needs additional time between submission of cross exhibits and the hearing, then AWEC does not oppose delaying the hearing to a mutually agreeable date.^{2/} AWEC will work with the other parties to identify alternative dates if this is the Commission's preference.

^{2/} AWEC does not object to the June 12, 2020 date for joint submission of proposed dates for oral argument.

Dated this 1st day of June, 2020.

Respectfully submitted,

/s/ Tyler C. Pepple

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