

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 394

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,

Request for a General Rate Revision.

RULING

DISPOSITION: MOTION TO MODIFY PROCEDURAL SCHEDULE GRANTED IN PART AND DENIED IN PART; PROCEDURAL SCHEDULE MODIFIED

On August 3, 2021, the Public Utility Commission of Oregon established a procedural schedule for this proceeding, based on the schedule proposed by the parties with minor modifications. On October 22, 2021, the Oregon Citizens' Utility Board (CUB) filed a motion seeking to modify the procedural schedule. CUB explains that conflicts have arisen that required CUB to reach out to parties to determine whether modifying the procedural schedule was possible. CUB states that it contacted counsel for all parties in this proceeding and that no party opposes this motion.

In its motion, CUB notes that the parties inadvertently scheduled opening briefs for February 21, 2022, which is Presidents' Day, a holiday when the Commission's offices will be closed. CUB proposes shifting the deadline for opening briefs to February 22, 2022. Additionally, CUB proposes moving the deadlines for closing briefs from February 28, 2022, to March 7, 2022, and rescheduling the oral argument from March 4, 2022, to March 22, 2022. CUB asserts that the proposed dates for closing briefs and oral argument represent a compromise that accommodates the schedules of all parties in this proceeding. CUB contends that it does not believe its proposed changes will unduly delay the proceeding or prejudice any party. Finally, in its motion CUB addresses rescheduling the December 13, 2021 settlement conference to December 7, 2021, noting that while the parties are free to change the dates of settlement conferences without Commission approval, this change is included in the motion for the Commission's information.

As CUB points out, the procedural schedule must be modified to avoid the conflict with the Presidents' Day holiday. I adopt CUB's proposal to move the deadline for opening briefs to the next business day, February 22, 2022. I recognize that doing so shortens the limited time for parties to prepare their closing briefs by one day. However, CUB's remaining changes would extend the deadline for closing briefs by one week and the date

for oral argument by nearly two and a half weeks, representing a significant change to the schedule. In a memorandum issued prior to the prehearing conference in this case, I indicated that any procedural schedule proposed by the parties should include no less than eight weeks provided for the Commission’s deliberation and preparation of an order after oral argument. The schedule ultimately adopted provides for less than eight weeks between the oral argument on March 4, 2022, and the requested order date of April 25, 2022. The effect of the changes now proposed to the dates for closing briefs and oral argument would further reduce the Commission’s time for deliberation and preparing an order by more than two weeks, leaving less than five weeks between oral argument and the requested order date. Accordingly, I decline to adopt those changes. The procedural schedule is modified as set forth below. To the extent that changes to the schedule are needed to address any conflicts that have arisen, I encourage the parties to jointly propose further revisions. However, any changes should not significantly decrease the time for Commission deliberation included in the existing schedule.

<u>Event</u>	<u>Date</u>
Staff and Intervenor Opening Testimony	October 25, 2021, 3 p.m.
Settlement Conference	November 5, 2021 ¹
Commissioner Workshop (if requested by Commission)	November 16, 2021
Company Reply Testimony	December 2, 2021, 3 p.m.
Settlement Conference	December 7, 2021
Staff and Intervenor Rebuttal Testimony	January 7, 2022, 3 p.m.
Company Surrebuttal Testimony	January 26, 2022, 3 p.m.
Pre-Hearing Briefs, Cross-Examination Statements, Exhibits (all parties)	February 4, 2022, 3 p.m.
Hearing	February 10, 2022
Motions to Admit	February 14, 2022, 3 p.m.
Simultaneous Opening Briefs	February 22, 2022, 3 p.m.
Simultaneous Closing Briefs	February 28, 2022, 3 p.m.
Oral Argument	March 4, 2022
Commission Order (target)	April 25, 2022
Rates Effective	May 9, 2021

Dated this 25th day of October, 2021, at Salem, Oregon.

Alison Lackey
Administrative Law Judge

¹ Settlement conference dates are included in the schedule for the parties' convenience. The parties do not need Commission approval to reschedule settlement conferences.