

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 **NC 405**

4 PUBLIC UTILITY COMMISSION OF
5 OREGON,

6 Complainant,

7 vs.

8 CITY OF PORTLAND ACTING THROUGH
9 BUREAU OF ENVIRONMENTAL
10 SERVICES,

Defendant.

PROPOSED PROCEDURAL SCHEDULE

11 Pursuant to the Administrative Law Judge’s May 2, 2023 Memorandum Requesting
12 Proposals for Procedural Schedules in the above-captioned matter, Staff of the Oregon Public
13 Utility Commission (Staff) submits the proposed procedural schedule set forth below. Staff has
14 conferred with counsel for the City of Portland, and he supports the proposed procedural
15 schedule.

16 The proposed procedural schedule includes three rounds of pre-filed written testimony.
17 As the OPUC Staff has the burden of proof, the proposed schedule provides the OPUC Staff
18 opportunity to file testimony first (Opening Testimony) and last (Reply Testimony). The City of
19 Portland and Intervenors have the opportunity to file Response Testimony after OPUC Staff files
20 Opening Testimony.

21 The procedural schedule includes a window for a cross-examination hearing, to be set at
22 the Administrative Law Judge’s and Commission’s convenience, followed by three rounds of
23 briefs, with OPUC Staff filing the first and last brief (Opening and Reply) and the City of
24 Portland and Intervenors filing the second brief (Response). The first brief will be due four
25 weeks after the due date for the Cross-examination Statements if there is no hearing, and will be
26 due four weeks from the date of hearing if there is a hearing for cross-examination.

1 The proposed schedule is as follows:

Date	Activity
June 22, 2023	OPUC Staff files Opening Testimony
August 3, 2023	City of Portland and Intervenors file Response Testimony
August 31, 2023	OPUC Staff files Reply Testimony
September 7, 2023	Parties file Cross-Examination Statements
Week of September 11, 2023	Hearing
October 5, 2023, or four weeks after hearing, if one is held.	Staff files Opening Brief
November 2, 2023, or four weeks after date Opening Brief is filed, whichever is later.	City of Portland/Intervenors file Response Brief
November 16, 2023, or four weeks after date Response Brief is filed, whichever is later.	Staff files Closing Brief

16 Neither Staff nor the City of Portland have identified a need for a prehearing conference
17 to discuss other procedural issues.

18 CONCLUSION

19 Staff respectfully requests the ALJ issue an order adopting the proposed procedural
20 schedule.

21 Respectfully submitted,

22 ELLEN F. ROSENBLUM
23 Attorney General

24 */s/ Stephanie Andrus*

25 _____
26 Stephanie Andrus, OSB No. 925123
Sr. Assistant Attorney General
Of Attorneys for Staff of the Public Utility
Commission of Oregon