

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

3 NC 405

4 In the Matter of
5 OREGON PUBLIC UTILITY COMMISSION,
6 Complaint,
7 vs.
8 CITY OF PORTLAND ACTING THROUGH
9 BUREAU OF ENVIRONMENTAL
10 SERVICES,
11 Defendant.

STAFF MOTION TO WAIVE HEARING

12 On May 17, 2023, the Administrative Law Judge issued a ruling establishing September
13 7, 2023, as the due date for parties' cross-examination statements. The ruling noted the official
14 date for hearing would be established at a later date if necessary, but identified the week of
15 September 11, 2023, as a potential time period for a hearing.

16 Counsel for Staff of the Oregon Public Utility Commission (Staff) and counsel the City
17 of Portland (the City) have conferred regarding the need for cross-examination. Both Staff and
18 the City believe that cross-examination of witnesses is not necessary to complete the record and
19 do not intend to call witnesses for cross-examination. Accordingly, Staff asks the Commission
20 to waive the evidentiary hearing in the above-captioned docket. This request is supported by the
21 City.

22 On May 6, 2023, the ALJ issued a Memorandum Regarding the Evidentiary Hearing
23 instructing parties to confer on a hearing date and jointly propose a hearing date in October 2023,
24 along with a modified schedule for briefs. Because neither Staff nor the City wish to conduct

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1 cross-examination of any witness, Staff asks the Commission to waive this requirement to confer
2 regarding a date for hearing and a modified briefing schedule. This request is supported by the
3 City.

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5 SIGNED this 6th day of September, 2023.

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Respectfully submitted,

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ELLEN F. ROSENBLUM
Attorney General

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/s/ Stephanie S. Andrus

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Utility Commission Staff

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