



Oregon

Tina Kotek, Governor

Public Utility Commission

201 High St SE Suite 100

Salem, OR 97301-3398

Mailing Address: PO Box 1088

Salem, OR 97308-1088

503-373-7394



May 16, 2024

To Whom It May Concern:

Re: *In the Matter of Portland General Electric Company, Petition of Public Convenience and Necessity (Docket No. PCN 6).*

Portland General Electric (PGE) has proposed to build a transmission line that is part of the Tonquin project in Clackamas County, called the Rosemont-Wilsonville Line, and PGE identified you as an individual or entity with an interest in land for which the utility may need to acquire an interest. You may have received a letter from PGE or PGE's attorneys about this.

The Oregon Public Utility Commission (PUC) will investigate PGE's petition for a certificate of public convenience and necessity (CPCN) related to the Rosemont-Wilsonville Line through a contested case process which has been assigned the docket PCN 6. If the CPCN petition is granted, PGE will be able to condemn land to construct this transmission line.

Because PUC proceedings may be new to you, I wanted to let you know of some upcoming events related to the Commission's review of this project as well as inform you on how you can participate in the Commission's decision-making process. First, all public items related to this docket will be posted on the PUC's website. To access the PCN 6 docket, go to this website: <https://www.oregon.gov/puc/edockets/Pages/default.aspx>, click on "by docket number," enter PCN 6 in the text field, and click "next." You will be able to see pertinent information about the case, including all filings from parties as well as from the assigned Administrative Law Judge and the Commission.

The PUC will also consider a request from PGE to begin reviewing the CPCN petition before the land use permits are issued, which requires a waiver of certain Commission rules. The PUC's consideration of this request will occur at a public meeting on June 11, 2024, starting at 9:30 a.m. There will be an opportunity for members of the public to provide oral comment before the Commission makes a decision on PGE's request. Written comments will also be considered by the Commission and are requested to arrive by 12:00 p.m. on June 7, 2024. Initial information about the public meeting and commenting process can be found at: <https://edocs.puc.state.or.us/efdocs/HAC/pcn6hac328467054.pdf>.

The Administrative Law Judge assigned to PCN 6 will hold a prehearing conference related to this docket on June 13, 2024, at 10:00 a.m. via Zoom video conference. This event is for parties and those interested in becoming a party to discuss procedural issues related to this docket, including this matter's schedule.

May 16, 2024

Page 2

Additionally, I will hold a training for members of the public via Zoom, on July 9, at 1:30 p.m. The purpose of this training is to discuss participating in PUC contested cases and to answer questions about how to participate in PCN 6.

Any member of the public may participate in this contested case proceeding in a variety of ways. The most involved way to participate is to intervene as a party in this docket. This level of participation is best accomplished with an attorney representing you, however individuals can represent themselves in Commission proceedings. The Commission has rules governing the intervention process, which can be found at OAR 860-001-0300:

<https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=220511>. I will discuss intervention at the training mentioned above.

You may also submit written comments or attend a public comment hearing where you can present your views on the proposal to the Commission. These comments are included as evidence in the proceedings, however providing public comment does not involve any further obligation to participate to the extent that a party would.

Lastly, you may also track the docket as an interested person. This will enable you to receive an email every time something new is posted to the PCN 6 docket. To become an interested person, you should send an email to puc.hearings@puc.oregon.gov with your contact information and ask to be added to the PCN 6 interested person list.

Details and more information regarding the prehearing conference, training, and public comment hearing will be posted in the PCN 6 docket in the near future. Please do not hesitate to contact me if you have any questions about how to participate in PCN 6 at nolan.moser@puc.oregon.gov.

Sincerely,



Nolan Moser
Chief Administrative Law Judge

Attachments: May 8, 2024 Staff Letter re Waiver Request Public Meeting
May 10, 2024 Memorandum
May 15, 2024 Notice of AHD Workshop



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May 8, 2024

Via Electronic Filing



OREGON PUBLIC UTILITY COMMISSION
ATTENTION: FILING CENTER
PO BOX: 1088
SALEM OR 97308-1008

RE: Docket No. PCN 6 – In the Matter of PORTLAND GENERAL ELECTRIC’S Petition for Certificate of Public Convenience and Necessity Request for Waiver

To all interested parties,

This letter is to notify all interested parties that Staff of the Oregon Public Utility Commission (Staff) has placed Portland General Electric’s Request for Waiver of OAR 860-025-0030(3) filed in the above-captioned docket on the agenda for the June 11, 2024, regular Commission Public Meeting.

Staff is aware that some interested parties may wish to provide public comment on this Request for Waiver prior to the Public Meeting. As such, Staff asks that anyone interested in submitting written comments regarding the Request for Waiver file their comments prior to 12 p.m. on Friday, June 7, 2024, on the Commission’s eDocket website. Interested parties will also be able to provide oral public comment on this agenda item during the Public Meeting.

Sincerely,

/s/ Isaac Kort-Meade
Oregon Public Utility Commission
(503) 480-5084
Isaac.Kort-meade@puc.oregon.gov

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

PCN 6

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,

Petition for Certificate of Public
Convenience and Necessity.

MEMORANDUM

The Oregon Public Utility Commission will hold a prehearing conference in this docket on June 13, 2024, at 10:00 a.m. via Zoom video conference. The parties are advised that the prehearing conference is being scheduled at this time for logistical reasons and will only be conducted if the Commission grants PGE's waiver request in this docket at its public meeting on June 11, 2024.

The purpose of the prehearing conference will be to identify parties, discuss a procedural schedule, and discuss any other procedural issues related to this docket. A link to access the prehearing conference will be provided in the official notice for the prehearing conference.

I will issue an additional memorandum in this docket in advance of the prehearing conference with additional details on items for discussion at the prehearing conference.

Though not required, it would be helpful for petitions to intervene in this docket to be filed by 3:00 p.m. on June 12, 2024.¹ Petitions to intervene filed by that time may be ruled on at the prehearing conference. Individuals or entities unable to attend the prehearing conference may submit written materials for my consideration by 3:00 p.m. on June 12, 2024.

Dated this 10th day of May, 2024, at Salem, Oregon.



John Mellgren
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures

¹¹ See OAR 860-001-0300.

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 <https://www.oregon.gov/puc/Pages/default.aspx>. 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.

Notice to Active Duty Servicemembers: Active Duty Servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free telephone number.

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.

Notice of Contested Case Rights and Procedures continued

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.

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

PCN 6

In the Matters of

PORTLAND GENERAL ELECTRIC
COMPANY,

Petition for Certificate of Public
Convenience and Necessity.

NOTICE OF ADMINISTRATIVE
HEARINGS DIVISION WORKSHOP

The Administrative Hearings Division will hold a workshop to discuss the next steps in the process.

DATE: July 9, 2024

TIME: 1:30 p.m.

**ADMINISTRATIVE
LAW JUDGE:** Nolan Moser

VIA ZOOM: [LINK TO MEETING](#)

Call-In: (669) 254-5252
Meeting ID: 160 652 7782
Passcode: 8812361199

If you have questions, please contact the Administrative Hearings Division by telephone (503-378-6678) or by e-mail (puc.hearings@puc.oregon.gov).

Dated this 15th day of May, 2024, at Salem, Oregon.

Nolan Moser

**Chief Administrative Law
Judge**

**IF YOU HAVE A DISABILITY AND NEED ACCOMMODATION TO
PARTICIPATE IN THIS CONFERENCE, PLEASE LET US KNOW
(503) 378-6678, Oregon Relay Service: 7-1-1, or e-mail
puc.hearings@puc.oregon.gov**