

**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 purpose of the prehearing conference will be to identify parties, discuss a procedural schedule, and discuss any other procedural issues related to this docket. Please note that the Commission is scheduled to decide the waiver request at its public meeting on June 11, 2024. The scheduling of this prehearing conference is subject to change depending on any Commission action at that meeting.

In advance of the prehearing conference, I request that PGE confer with the parties and any entity or individual that has expressed interest in participating in this proceeding to attempt to develop a joint proposal for how this docket should proceed, including attempting to reach agreement on a proposed schedule identifying key milestones, timelines, and process.

When preparing a proposed schedule, I request that parties structure the schedule with no less than six weeks provided for the Commission's deliberation and preparation of an order after oral argument. Any proposed schedules should include dates for regular updates on any outstanding permits or approvals related to the Rosemont-Wilsonville line as well as status updates on any settlement discussions. Any proposed schedules should also avoid testimony, briefing, and other major filing deadlines on Fridays or state holidays. The parties need not agree on specific dates for public comment hearings, evidentiary hearings, and oral arguments, but may suggest general timeframes for the scheduling of such events.

Should the parties reach an agreement on a proposed schedule, PGE should submit that joint proposed schedule to the Filing Center by 3:00 p.m. on June 12, 2024. Should the parties be unable to reach an agreement, they should file individual proposed procedural schedules by that same deadline. The parties may also propose additional topics for the prehearing conference in any joint or individual filing.

Though not required, I encourage any person seeking to participate as a party in this docket to file a petition to intervene with the Filing Center 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

¹ See OAR 860-001-0300.

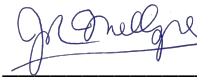
attend the prehearing conference may submit written materials for my consideration to the Filing Center by 3:00 p.m. on June 12, 2024.

Under OAR 860-001-0300(5), objections to a petition to intervene must be filed within ten days after the petition is filed. To facilitate timely access to protected materials and expedite the discovery process, parties must indicate intent to file objections to a petition to intervene within three business days after the petition is filed. The deadline for filing any objections remains unchanged.

Questions regarding Commission rules and procedures may be directed to Chief Administrative Law Judge Nolan Moser at nolan.moser@puc.oregon.gov.

The parties are advised that all filings submitted in this docket are due by 3:00 p.m. Filings submitted after 3:00 p.m. may be considered filed on the following business day.

Dated this 28th day of May, 2024, at Salem, Oregon.



John Mellgren
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures

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.