

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2107

Served electronically at Salem, Oregon, 06/03/2020, to:

Respondent's Attorney

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Brian Konen, President
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Re: UM 2107, WILLAMETTE FALLS PAPER COMPANY AND WEST LINN PAPER COMPANY, Complainants
vs. PORTLAND GENERAL ELECTRIC COMPANY, Respondent

Willamette Falls Paper Company and West Linn Paper Company have filed a complaint against Portland General Electric Company. A copy of the complaint is attached and served on Respondent, under ORS 756.512(1). The Commission has assigned Docket No. UM 2107 to this complaint. Please use this number whenever you refer to this case.

The Public Utility Commission must receive an Answer from the Respondent or its attorney by June 23, 2020, under OAR 860-001-0400(4)(a). A copy must be served on the complainants.

After the filing of the answer, the PUC will contact the parties to provide information about further proceedings in this matter.

PUBLIC UTILITY COMMISSION OF OREGON

/s/Cheryl Walker
Cheryl Walker
Administrative Specialist 2
Administrative Hearings Division

(503) 378-2849

c: Helen Parker, Helen.Parker@pgn.com

Attachments: Complaint
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 www.puc.state.or.us. 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**

WILLAMETTE FALLS PAPER COMPANY,
AND WEST LINN PAPER COMPANY

Complainant,

v.

PORTLAND GENERAL ELECTRIC
COMPANY,

Defendant.

DOCKET NO. UM 2107

COMPLAINT

I. INTRODUCTION

Pursuant to ORS 756.500 and OAR 860-001-0170, Willamette Falls Paper Company (“WFalls”) and predecessor company West Linn Paper Company (“WLP”) jointly file this Complaint requesting that the Public Utility Commission of Oregon (“Commission”) recognize WFalls as a long-term direct access customer of Portland General Electric Company (“PGE”).

WFalls is WLP’s successor in interest. Since 1997, WLP owned and operated a paper-making facility in West Linn, Oregon (the “Facility”). The Facility has been used by its various owners to make paper products for more than a century. Beginning in 2005, WLP fully complied with all requirements to transition the Facility to long-term direct access. In 2019, WFalls acquired the assets of WLP. WLP and WFalls understood and intended that WLP was transferring and assigning to WFalls *all* tangible and intangible assets associated with operating the Facility—specifically including WLP’s long-term direct access rights. PGE, as the lessor of the site on which the Facility is located, also understood that WFalls desired to continue operating the Facility using long-term direct access rights. WFalls now operates the Facility making

environmentally friendly paper products. WFalls uses the same paper machines as WLP, under the same management as WLP, with more than one hundred of the same employees as WLP and supporting many of the same local vendors as WLP. As a matter of policy and equity, the Commission should recognize WFalls as the rightful successor to WLP's long-term direct access rights.

In the alternative, pursuant to OAR 860-001-000, WFalls requests that the Commission waive its one (1) year notice rule applicable to the New Load Direct Access program. Out of an abundance of caution, senior management for WLP pursued PGE's New Load Direct Access program. On April 15, 2019, the day PGE's queue opened, WLP provided notice for the New Load Direct Access program. WLP's notice was acknowledged by PGE, and WLP became the first customer in PGE's New Load Direct Access queue. This queue position was transferred and assigned from WLP to WFalls as part of the asset sale. WFalls began operating the Facility on a partial basis in July of 2019. More than six months later, PGE notified WFalls that it was not eligible for the New Load Direct Access program because it began operations at the Facility less than one (1) year after providing notice of its intent to participate in the New Load Direct Access program as required by Commission rule. In the alternative to recognizing WFalls as the rightful successor of WLP's long-term direct access rights, good cause exists for the Commission to waive the one (1) year notice rule in this case and recognize WFalls as an eligible participant in PGE's New Load Direct Access program.

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II. SERVICE

Copies of all pleadings and correspondence should be served on WFalls' counsel and representatives at the addresses below:

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In support of this Complaint, WFalls and WLP allege as follows:

III. IDENTITY OF THE PARTIES

1. PGE is an investor-owned public utility regulated by the Commission under ORS Chapter 757. PGE delivers retail electricity to the Facility. PGE also owns a significant portion of the real property on which the Facility is located. PGE is headquartered at 121 Southwest Salmon Street, Portland, Oregon 97204.

2. WLP is a domestic business corporation organized under the laws of the State of Oregon. The President and Chief Operating Officer of WLP was and is Brian Konen. WLP formerly owned and operated the Facility using wood fiber to make paper. Beginning in 2005, WLP successfully transitioned the Facility to long-term direct access service from PGE. WLP transferred and assigned the long-term direct access rights of the Facility to WFalls.

3. WFalls is a domestic business corporation organized under the laws of the State of Oregon. The President of WFalls is Mr. Konen. WFalls acquired all of the assets of WLP and is its successor in interest with respect to the Facility's long-term direct access rights. WFalls currently owns and operates the Facility using wood fiber, recycled paper, and agricultural waste to make paper. WFalls currently employs more than one hundred people who had previously lost their jobs with WLP.

IV. APPLICABLE STATUTES AND RULES

4. The Oregon statutes expected to be involved in this case include ORS 756.040-756.068, 756.500-756.558, 756.990, 757.325 and 757.600-757.689. The Oregon rules expected to be involved in this case include: OAR 860-001, 860-022, and 860-038.

V. JURISDICTION

5. The Commission has jurisdiction over the retail rates and terms and conditions of service of PGE, including long term direct access and the New Load Direct Access program. PGE is a "public utility" as defined in ORS 757.005, and the Commission has jurisdiction over PGE and over complaints filed by customers of PGE.

VI. FACTUAL BACKGROUND

6. Since 1997, WLP owned and operated the Facility making a variety of paper products at its current location in West Linn, Oregon. The Facility operated for nearly a century under different ownership before being acquired by WLP.

7. The Facility is located in part on property owned by PGE. PGE operates a hydroelectric plant on the Willamette River near the property leased to WLP. WLP provided cooling water for PGE's hydroelectric plant, as well as sewage services, and security. WLP was a

party to a lease agreement with PGE with respect to that portion of the Facility site owned by PGE.

8. WLP first enrolled the Facility in PGE's long-term direct access program in 2005. WLP fully complied with all of the Commission's and PGE's requirements to transition the Facility to long-term direct access. WLP's compliance with these requirements has ensured that no costs arising from the Facility's transition to long-term direct access were shifted to PGE's other ratepayers. WLP purchased power for the Facility from one or more electric service suppliers, which power was delivered to the Facility by PGE pursuant to Schedule 489.

9. Schedule 489 requires that long term direct access customers such as WLP give PGE two (2) years notice of their intent to return to cost of service rates. WLP never gave PGE the two-year notice required under Schedule 489 to return the Facility to cost of service rates. This notice period was subsequently increased to three (3) years. This lengthy notice period is required because PGE must plan ahead for several years in order to provide cost-of-service rates to returning direct access customers. In other words, PGE plans on customers and facilities that have transitioned to long-term direct access to remain on direct access.

10. WLP began having financial difficulties, and was forced to suspend operations of the Facility, in or about October of 2017.

11. PGE, needing continued electric service at the Facility for its hydroelectric plant, transferred electric service for the Facility to its own name as the landlord. There is nothing in Rate Schedule 489 that allows PGE to transfer direct access service to its own account. In so doing, therefore, PGE was acting in its capacity as a property owner and hydroelectric project operator, and not as a retail electric service provider.

12. Although the subsequent chain of transactions (described below) was somewhat complicated, the end result of WLP financial difficulties was that WLP's senior management and a new investor created WFalls for the purpose of acquiring all of WLP's assets, rehiring many of WLP's employees, creating a sustainable product line under an agreement with the state of Oregon, and continuing to operate the Facility.

13. On October 25, 2017, several unsecured creditors filed a petition to initiate an involuntary Chapter 7 bankruptcy proceeding against WLP. The legal elements necessary for an involuntary bankruptcy were not satisfied, however, and the United States Bankruptcy Court never issued an order for relief. The involuntary Chapter 7 bankruptcy petition was dismissed by the Court in early 2018 pursuant to an agreement between WLP and its secured and unsecured creditors to cooperatively wind down WLP and sell all of its assets.

14. As part of the agreed upon wind down of WLP, which occurred outside of bankruptcy, all tangible and intangible assets of WLP were transferred as follows:

(a) Transfer 1. On June 28, 2018, WLP voluntarily transferred its assets to Belgravia Pulp Holdings. Belgravia Pulp Holdings was a secured lender and an affiliate of WLP's parent company Belgravia Investments. This was an "all asset" transfer.

(b) Transfer 2. On February 3, 2019, Belgravia Pulp Holdings transferred all WLP assets to Maynards Industries USA LLC ("Maynards"), an auctioneer that specializes in industrial auctions. Maynards intended to either operate the Facility or auction WLP's assets to the highest bidder.

15. From the fall of 2018 to early 2019, the President and Chief Operating Officer of WLP, Brian Konen, began exploring ways to reopen the Facility. Believing that resuming Facility operations would maximize the value of WLP's assets and PGE's land, Mr. Konen engaged in multiple discussions with PGE and other interested parties. As a property owner, PGE had an added incentive to support Mr. Konen's proposed restart of the Facility. If the Facility were to shut down permanently, PGE would be required to spend tens of millions of dollars to remediate and repurpose the site.

16. In June of 2019, Mr. Konen and a new investor formed WFalls for the purpose of acquiring and operating the Facility, saving more than one hundred local jobs, and continuing the other economic benefits that it brings to the region.

17. On June 18, 2019, WFalls acquired all of WLP's assets from Maynards pursuant to a Purchase and Sale Agreement. It was the understanding and intent of WFalls that the Purchase and Sale Agreement would include all tangible and intangible assets that WLP used to operate the Facility (other than the lease with PGE), including the Facility's long-term direct access rights. From paper clips to power service, whatever once belonged to WLP now belonged to WFalls.

18. In discussions about restarting the Facility and negotiating a new lease with WFalls, PGE understood that WFalls desired that the Facility would continue to be a long-term direct access customer. As part of the lease discussions, for example, PGE representatives expressly stated that PGE would have to charge WFalls a higher lease rate going forward for the case where the Facility continued its long-term direct access. PGE also offered to lower the lease rate if the WFalls would consider cost of service rates, which WFalls declined. Before WFalls and PGE resolved the power supply issues for the Facility, WFalls was forced to move forward with the Lease and asset purchase in advance of the scheduled auction of the WLP assets. The

WFalls Lease rate nearly tripled from the lease rate for WLP. The WFalls Lease rate is set to increase again next year.

19. Mr. Konen also explored with PGE the right to sublease a portion of the Facility site to other energy intensive operations. PGE rejected any potential sublease to a server farm or bit coin operation because PGE did not want the Facility's long-term direct access rights to be used for the benefit of such entities.

20. In March of 2019, more than six months after Mr. Konen began negotiating with PGE to restart the Facility, PGE expressed doubt for the first time about whether PGE would choose to recognize the Facility's long-term direct access rights. PGE stood to realize millions of dollars in additional charges from the Facility by refusing to provide long-term direct access to the Facility.

21. PGE's denial of the Facility's long-term direct access rights was purely opportunistic. WLP fully complied with the long-term direct access transition requirements. PGE's ratepayers have been and remain fully protected against any potential cost-shifts that may be caused by direct access service to the Facility. Indeed, PGE has not planned for providing fully bundled electric service to the Facility since prior to 2005—more than fifteen years ago. PGE has never provided WFalls with any economic analysis to indicate that additional transition charges from the Facility would be necessary to prevent cost shifts to its other ratepayers. No such cost-shift exists.

22. Because some form of direct access service has always been thought to be critical to the long-term financial viability of the Facility, senior management of WLP had no choice but to enroll in PGE's New Load Direct Access program on behalf of WLP and its successor. On April 15, 2019, the very first day PGE set up its New Large Direct Access queue, Mr. Konen, as

President and Chief Operating Officer of WLP, sent an email to PGE stating “To PGE, West Linn Paper Co formally request to be placed in the queue for NLDA service. West Linn Paper Co. Potential new customer is most likely Willamette Falls Paper.”

23. In June 2019, WFalls was registered as a new business in the state of Oregon.

24. On June 18, 2019, two months after WFalls gave PGE notice of its intent to participate in the New Load Direct Access program, PGE and WFalls entered into a five-year Lease, with a commencement date of July 1, 2019. At the time PGE executed the Lease, with its inflated rental payments, PGE understood that WFalls intended to continue taking direct access service at the Facility—either through long term direct access or the New Load Direct Access program.

25. With its newly rehired workforce consisting of former WLP employees, WFalls resumed operations at the Facility in July of 2019. Mr. Konen now also serves as President of WFalls.

26. WFalls produces sustainable non-wood grade paper sourced with local agricultural waste and also uses post-consumer recycled fiber that would otherwise go into the waste stream. WFalls intends to use the Facility to recycle waste paper into secondary fiber to create a closed-loop system with significant energy and environmental savings—consistent with state environmental goals under an agreement with the State of Oregon.

27. When the Facility began operating on July 1, 2019, the Facilities direct access rights remained unresolved. PGE placed the Facility on cost of service rates rather than long-term direct access, which was contrary to the parties’ common understanding that WFalls intended to continue taking direct access service at the Facility. WFalls expected that cost of service rates would be temporary pending the resolution of long-term direct access or New Load Direct

Access. PGE's actions have increased WFalls' operating costs substantially, resulting in a windfall to PGE and threatening the long-term economic viability of Facility operations.

28. PGE also requested a security deposit of \$110,000 for electric service. Under its policies, PGE generally calculates the security deposit based on the customer projected monthly power bills. This security deposit, which is far less than WFalls current monthly power bill, is further evidence of PGE's understanding at the time that the Facility would be taking some form of direct access service.

29. Now that PGE has disputed both WFalls' long-term direct access rights and WFalls' participation in the New Load Direct Access program, PGE has recently demanded that WFalls significantly increase the security deposit because of WFalls current electric invoices.

30. The Facility is currently operating at only one-third capacity. WFalls desires to bring the Facility to full capacity if economically viable. When operating at full capacity, the Facility is capable of producing approximately twenty-one thousand tons of product per month with a power demand of approximately fifteen (15) to eighteen (18) megawatts.

31. By letter dated January 17, 2020, long after WFalls entered a lease with PGE and made significant financial commitments to operate the Facility, PGE informed WFalls that the Facility is ineligible for PGE's New Load Direct Access. Although PGE advances several theories for its denial, they all boil down to the same point—WFalls failed to provide PGE at least one (1) year notice prior to energizing the Facility as required by Commission rule.

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VII. LEGAL CLAIMS

Complainant's First Claim for Relief

WLP transferred the Facility's long-term direct rights to WFalls.

32. WFalls re-alleges paragraphs 1-31.

33. Beginning in 2005, WLP fully and validly transitioned the Facility to long-term direct access service.

34. Having established the Facility's long-term direct access rights, Schedule 489 required WLP to give PGE at least two (2) years notice if it wished to return to cost-of-service rates. No such notice was ever given, and WLP never intended to return to cost-of-service rates.

35. Long-term direct access rights, once established with respect to a facility, may be transferred and assigned by a customer to a subsequent purchaser of the facility.

36. Upon information and belief, there is no statute, administrative rule, or tariff provision that allows PGE to unilaterally block the transfer and assignment of long-term direct access rights with respect to a facility to subsequent purchasers of the facility.

37. WLP transferred and assigned to WFalls all assets of WLP with respect to the Facility. This included a transfer and assignment of the Facility's long-term direct access rights. PGE has no legal right to block such transfer and assignment.

38. PGE has not legitimately planned for or acquired any utility assets to serve the Facility since it began taking long-term direct access service in 2005. Acknowledging the transfer and assignment of the Facility's long-term direct access rights from WLP to WFalls, therefore, poses no risk of shifting costs to PGE's other ratepayers.

39. The touchstone of utility ratemaking is the principle of cost-causation. There is no cost basis for requiring WFalls pay additional transitions charges with respect to the Facility.

This would serve only to provide a windfall for PGE's shareholders. Requiring WFalls to pay for direct access rights at the Facility that had already been obtained by WLP is not in the public interest and would be neither fair, nor just, nor reasonable.

Complainant's Second Claim for Relief

PGE's is violating ORS 757.325 by refusing to recognize WLP's transfer of long-term direct access rights to WFalls.

40. WFalls re-alleges paragraphs 1-39.

41. ORS 757.325 provides: "No public utility shall make or give undue or unreasonable preference or advantage to any particular person or locality, or shall subject any particular person or locality to any undue or unreasonable prejudice or disadvantage in any respect."

42. Upon information and belief, PGE has allowed other customers to transfer and assign long-term direct access rights with respect to a facility to subsequent purchasers of the facility.

43. Under ORS 757.325, PGE must also recognize the transfer and assignment of long-term direct access rights for the Facility from WLP to WFalls.

Complainant's Third Claim for Relief

In the Alternative, the Commission should waive its one-year notice requirement and recognize WFalls as a New Load Direct Access customer.

44. WFalls re-alleges paragraphs 1-43.

45. During their lengthy discussions regarding the restart of the Facility, PGE was at all times aware that WLP intended to transfer its direct access rights and WFalls intended to continue taking direct access service at the Facility. At no point did WLP or WFalls ever tell

PGE, whether formally or informally, that it should plan on providing cost of service rates to the Facility.

46. On April 15, 2019, the first day PGE set up its New Load Direct Access queue, Mr. Konen, as President of WLP, sent an email to PGE stating “To PGE, West Linn Paper Co formally request to be placed in the queue for NLDA service. West Linn Paper Co. Potential new customer is most likely Willamette Falls Paper.”

47. WLP’s first priority position in PGE’s New Load Direct Access queue was subsequently transferred and assigned from WLP to WFalls in June of 2019 as part of the Facility asset sale.

48. WFalls entered the Lease with PGE and began its business operations at the Facility in July of 2019.

49. On January 17, 2020, more than six months after negotiating the Lease with WFalls, PGE informed WFalls that the Facility is ineligible for PGE's New Load Direct Access because WFalls failed to provide one (1) year notice prior to energization as provided by Commission rule.

50. Pursuant to OAR 860-001-000(2), the Commission may grant a waiver of any of its rules “for good cause shown.”

51. Good cause exists for the Commission to grant a waiver of its one (1) year notice requirement and any other requirement to recognize WFalls as an eligible New Load Direct Access customer.¹ First, the Facility has been on long-term direct access service since 2005.

¹ OAR 860-038-0740 provides:

(1) Each New Large Load consumer must notify the electric company of its intent to enroll in the New Large Load Direct Access Program and opt out of cost-of-service rates at the earlier of either:

(a) A binding written agreement with the utility for eligible new load, or
(b) One year prior to the expected starting date of the incremental load.

Second, no costs would be shifted to PGE’s other rate payers. Third, PGE—in its capacity as the lessor of the Facility site—was at all times aware of WFalls’ intent to continue direct access service to the Facility. Fourth, WFalls has already rehired more than a hundred former employees at the Facility (and plans to hire more as production increases), based on its understanding that the Facility would be eligible for direct access service.

52. Although the criteria specifically applicable to a waiver of the New Load Direct Access program total participation cap do not strictly apply here, they would still be satisfied in this case. A waiver of the participation cap must be supported not just by good cause, it must also “advance the goals reflected in state policy.” The latter includes elements such as carbon free generation resources, value added grid services, and support for system capacity needs.²

53. Recognizing WFalls as a valid New Load Direct Access customer advances the goals reflected in state policy. As stated above, WFalls now uses the Facility to manufacture sustainable paper products using recycled materials under an agreement with the State of Oregon. This model not only reduces waste streams that would otherwise end up in landfills, it also reduces the need to harvest trees. As the Commission knows, trees are a primary source of atmospheric carbon dioxide reductions.³

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(2) Section (1) is waived for the eligible New Large Load consumer that has entered into a written agreement with an electric company prior to September 30, 2018, indicating its intent to receive distribution service from an electric company and for which the electric company has not planned to provide generation supply service.

² See *In the Matter of Rulemaking Related to a New Large Load Direct Access Program*, Docket No. AR 614, Order No. 18-341 at 7 (Sept. 14, 2018).

³ See *Examining the Viability of Planting Trees to Help Mitigate Climate Change*, NASA Jet Propulsion Laboratory (Nov. 7, 2019), available at <https://climate.nasa.gov/news/2927/examining-the-viability-of-planting-trees-to-help-mitigate-climate-change/>.

VIII. PRAYER FOR RELIEF

WHEREFORE, WFalls respectfully requests the Commission issue an order:

1. Directing PGE to immediately resume long-term direct access service to the Facility.
2. Granting WFalls a refund, in an amount to be determined by the Commission, for overpayments made by WFalls to PGE due to PGE’s wrongful refusal to provide long-term direct access service the Facility beginning in July of 2019.
3. In the alternative, waiving the Commission’s one (1) year notice requirement and any other requirement to recognize WFalls as an eligible New Load Direct Access customer and ordering PGE to immediately begin providing New Load Direct Access service to the Facility.
4. Granting any other such relief as the Commission deems necessary.

Dated this 3rd day of June 2020.

Respectfully submitted,

s/ Chad M. Stokes

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Richard Lorenz, OSB No. 003086

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Attorneys for Willamette Falls Paper
Company and West Linn Paper Company

CERTIFICATE OF FILING

I certify that on June 3, 2020, I filed the foregoing Complaint on behalf of WFalls with the Oregon Public Utility Commission by electronic communication as consistent with OAR 860-001-0170.

CABLE HUSTON LLP

s/ Chad M. Stokes

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