

May 7, 2024

Via Electronic Filing

Oregon Public Utility Commission
Attention: Filing Center
201 High Street, Suite 100
Post Office Box 1088
Salem, OR 97308-1088

Re: UE 427 – Schedule Comment

Attention Filing Center:

Pursuant to the Administrative Law Judge ruling dated May 2, 2024, NewSun Energy LLC (“NewSun”) hereby submits this comment on the joint schedule proposal submitted today. NewSun’s submits this filing to clarify that its support of this schedule is with an expectation that Portland General Electric Company (“PGE”) will provide complete and responsive data responses in a timely manner, including on any follow up requests depending on what discovery reveals, and that PGE proactively will reach out as soon as practicable as required under OAR 860-001-0500 upon receiving a data request that is likely to lead to a discovery dispute.

Comprehensive and timely discovery is imperative to develop a complete record in this case regarding the issues raised in Order No. 24-091. NewSun feels it is necessary to note its concern about potential discovery disputes now because it has been NewSun’s experience in other proceedings that PGE often objects or fails to fully respond to discovery, or does not reach out when there is a data request that is likely to lead to a discovery dispute which leads to either an incomplete development of the factual record, or delay of the proceedings (or both). Therefore, to avoid further schedule extensions, and facilitate a complete examination of the issues at stake in this docket, NewSun cannot emphasize enough the need for complete and responsive data responses from PGE.

Thank you,

/s/ Marie P. Barlow

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