

October 7, 2021

Via Email Only

The Honorable Christopher Allwein
Public Utility Commission of Oregon
PO Box 1088
Salem, OR 97308-1088
puc.filingcenter@puc.oregon.gov

Re: Waconda Solar, LLC v. Portland General Electric Company
PUC Case No. UM 1971

Dear Judge Allwein:

Portland General Electric Company (PGE) writes to respond to Waconda Solar LLC's (Waconda) reply regarding its request for expedited consideration of the pending motion to stay. Waconda Solar agrees that PGE should be permitted fifteen days to respond to Waconda's motion to stay, on the condition that Waconda not be required to respond to PGE's modified second motion for summary judgment (MSJ) until after the Commission decides whether to stay this case pending resolution of Docket No. DR 57.

Waconda asserts in its motion to stay that a declaratory ruling in Docket No. DR 57 will be dispositive of the issues in this case, but PGE disagrees and would like an opportunity to address the merits of that argument in its response to the motion to stay. It is PGE's position that a ruling on PGE's MSJ will be necessary regardless of the outcome of the petition for declaratory ruling in Docket No. DR 57. Further, PGE does not agree that there could be no harm to PGE caused by additional delay in Docket No. UM 1971.

Given the parties' opposing positions concerning the applicability of a ruling in Docket No. DR 57 to the allegations in Waconda's complaint, PGE respectfully requests an opportunity to respond to the motion for stay before the Commission decides whether to vacate Waconda's deadline to respond to PGE's MSJ.

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Accordingly, PGE respectfully requests that the Commission adopt the deadlines PGE proposed in its October 6, 2021 letter. Specifically, that the deadline for Waconda's response to the MSJ is moved to November 9, 2021, and that PGE's deadline to respond to the motion to stay is October 20, 2021.

Finally, PGE notes that Waconda has characterized its motion for stay as a substantive motion. PGE reserves its right to take its own position on whether the motion to stay is substantive or procedural.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. Lovinger", followed by a horizontal line.

Jeffrey S. Lovinger