## BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

UE 374

In the Matter of

SIERRA CLUB'S CROSS EXAMINATION STATEMENT AND LIST OF ACTIVE PARTICIPANTS

PACIFICORP d/b/a PACIFIC POWER,

Request for a General Rate Revision

In accordance with Administrative Law Judge Allison Lackey's August 31, 2020 memorandum, Sierra Club hereby submits its cross-examination statement and list of active participants.

## **Sierra Club Cross-Examination Statement**

Sierra Club intends to cross-examine the following witnesses:

| Party      | Witness            | Estimated Time and Subject Matter (Public Session)                        | Estimated Time and Subject Matter (Confidential Session)                  | Estimated Time and Subject Matter (Highly Confidential Session) | Sierra Club<br>Counsel |
|------------|--------------------|---|---|---|------------------------|
| PacifiCorp | Rick Link          | 1.5 hours;<br>Jim Bridger<br>SCRs – Gas<br>Prices                         | 1.5 hours; Jim<br>Bridger SCRs<br>– Gas Prices                            |   | Christopher<br>Bzdok   |
| PacifiCorp | Richard A.<br>Vail | 1-hour; Jim<br>Bridger –<br>Transmission<br>Studies                       |   |   | Christopher<br>Bzdok   |
| PacifiCorp | James Owen         | 1-hour; Jim Bridger SCRs – Clean Air Act Compliance; Gas Plant Conversion | 1-hour; Jim Bridger SCRs – Clean Air Act Compliance; Gas Plant Conversion |   | Gloria Smith           |

| Party      | Witness         | Estimated Time and Subject Matter (Public Session)                             | Estimated Time and Subject Matter (Confidential Session) | Estimated Time and Subject Matter (Highly Confidential Session) | Sierra Club<br>Counsel |
|------------|-----------------|--|--|---|------------------------|
| PacifiCorp | Dana<br>Ralston | 1-hour; Jim<br>Bridger SCRs<br>- Bridger<br>Mine<br>30-minutes;<br>Hayden SCRs | 1-hour; Jim<br>Bridger SCRs<br>– Bridger<br>Mine         | 15-minutes;<br>Hayden SCRs                                      | Rose<br>Monahan        |

Sierra Club requests permission for limited screen sharing of cross-examination exhibits.

## **Individuals Calling-Into Confidential and Highly Confidential Sessions**

- Christopher Bzdok (C, HC) 231-946-4818; may display as 231-946-0044 or Olson,
   Bzdok & Howard; alternate 231-590-5667.
- 2. Gloria Smith (C, HC) 415-308-9124
- 3. Rose Monahan (C, HC) 724-747-4139
- 4. Ana Boyd (C, HC) 413-717-7232
- 5. Jeremy Fisher (C, HC) 401-965-2951

## **List of Active Participants**

All of Sierra Club's active participants are available on Friday, September 11, 2020.

- 1. Christopher Bzdok
- 2. Gloria Smith
- 3. Rose Monahan
- 4. Dr. Jeremy Fisher
- 5. Dr. Ezra Hausman

**Additional Matters Related to the Evidentiary Hearing** 

The updated hearing procedures memorandum noted that the participants may need to rely on

screen sharing in limited circumstances. Sierra Club concurs. As is evidenced by Sierra Club's

exhibit list, we intend to rely heavily on record documents during cross examination of

PacifiCorp witnesses. Many of these exhibits are spreadsheets, workpapers and other data-

intensive reports. Based on recent virtual hearing experiences, we believe it would help the

Commission were it to utilize screensharing capabilities at times so that all parties and the

Commissioners are afforded the opportunity to view specific aspects of complex documents.

This is especially true where the cross examiner is provided with a pointer so that all viewers can

easily follow the questioning. In Sierra Club's view, this would not only result is a clearer final

hearing transcript, it would speed along the proceedings.

Similarly, we ask the Commission to reconsider conducting all confidential and highly

confidential questioning by phone lines. An audio-only hearing further compromises the

interaction between witnesses, cross examining attorneys and questions concerning complex

documentary evidence. We believe that many of the parties currently utilize secure video

platforms that could be used for this purpose, and suggest an expedited conference with the

parties and ALJ to discuss options, such as Microsoft Teams Rooms that has been successfully

utilized in other proceedings.

Therefore, we request that the Commission reconsider using audio-only confidential hearing

sessions.

Dated: September 2, 2020

Respectfully submitted,

/s/ Rose Monahan

3

Rose Monahan Sierra Club Environmental Law Program 2101 Webster Street, Suite 1300 Oakland, California 94612 415-977-5704 rose.monahan@sierraclub.org

Attorney for Sierra Club