

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**AR 518 – Phase II**

In the Matter of a Rulemaking to  
Implement SB 838 Relating to  
Renewable Portfolio Standard

**PORTLAND GENERAL ELECTRIC  
COMPANY'S OPPOSITION TO  
RENEWABLE NORTHWEST  
PROJECT'S MOTION TO  
RECONSIDER ORDER NO. 09-225**

Portland General Electric Company ("PGE") opposes Renewable Northwest Project's ("RNP") motion for reconsideration of Order No. 09-225. RNP's motion is deficient for a number of reasons.

First, RNP's motion is styled as a motion to reconsider, but it does not meet the procedural requirements for such a motion. It fails to identify, as required by the applicable reconsideration statute (ORS 756.561) and Commission rule (OAR 860-014-0095), adequate reasons reconsideration is necessary, or establish any of the required bases for reconsideration. This may be because the motion appears to seek only clarification.

Second, while the motion alleges that Order No. 09-225 requires clarification, the content of the motion belies any such need. The motion identifies no specific regulation that is unclear or ambiguous. Most important, the motion acknowledges the clarity of the Commission's resolution of the paramount issue in this phase, namely that disclosing renewable energy credits ("REC") for power source labeling requirements under OAR 860-038-0300 does not prevent such RECs from being used to comply with the Renewable Portfolio Standards ("RPS") in a later compliance year. RNP does not seek reconsideration of the Commission's decision on that fundamental issue. (Motion at 3).

Third, RNP seems to misunderstand the Commission's final order and the rules adopted. Order No. 09-225 concerned RECs that were eligible for compliance with the RPS. The final order made no substantive changes to the rules for portfolio options (OAR

860-038-0220) or for power source labeling requirements (OAR 860-038-0300). Yet RNP's motion seeks "clarification" that the final order changed the power source labeling rule. According to RNP, unbundled RECs that are used for RPS compliance may not be disclosed as part of the power source labeling requirements under OAR 860-038-0300. See Motion at 4 (example 2). It is difficult to respond to this position because RNP offers no particular argument for it and identifies no part of the final order or the rules to support it. Before the Commission commenced this proceeding it was unquestioned that utilities could acquire unbundled RECs, include these RECs in portfolio options and disclose them under the labeling requirements. Nothing in this proceeding has changed the ability of utilities to use unbundled RECs in the power source labeling requirements under OAR 860-038-0300. The Commission's final order is very clear that it was addressing a quite different issue, namely the impact, if any, of disclosing RECs under the power source labeling requirement on the potential later use of the same RECs for compliance with the RPS. It did not address, much less call into question, the ability to use unbundled RECs in portfolio options and disclose them under the power source labeling requirements (OAR 860-038-0300).

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For the above reasons, the Commission should deny RNP's motion for reconsideration.

DATED this 31st day of August, 2009.

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## CERTIFICATE OF SERVICE

I hereby certify that on this day I served the foregoing **PORTLAND GENERAL ELECTRIC COMPANY'S OPPOSITION TO RENEWABLE NORTHWEST PROJECT'S MOTION TO RECONSIDER ORDER NO. 09-225** by e-mail and/or mailing a copy thereof, to each party that has not waived paper service, in a sealed, first-class postage prepaid envelope, addressed to each party listed below and depositing in the US mail at Portland, Oregon.

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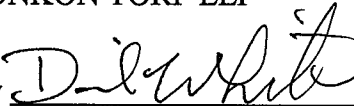


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