



825 NE Multnomah, Suite 2000
Portland, Oregon 97232

September 6, 2007

***VIA ELECTRONIC FILING
AND FIRST CLASS MAIL***

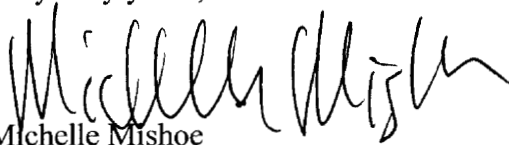
Oregon Public Utility Commission
550 Capitol Street NE, Suite 215
Salem, OR 97310-2551

Attn: Vikie Bailey-Goggins, Administrator
Regulatory and Technical Support

RE: Docket No. UA 110; In the Matter of PROPERTY OWNERS OF TAX LOT 501;
Petition to Review Service Area for Tax Lot 501, Petitions, and PACIFIC
POWER AND LIGHT COMPANY and HOOD RIVER ELECTRIC
COOPERATIVE, INC., Respondents

PacifiCorp (d.b.a. Pacific Power) hereby submits for filing an original and one copy of a
Motion to Strike Hood River Electric Cooperative's Closing Statement in Docket No. UA
110.

Very truly yours,


Michelle Mishoe
Legal Counsel
Pacific Power

Enclosures

Cc: UA 110 Service List

**SERVICE LIST
UA 110**

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I certify that I have cause to be served the foregoing **MOTION TO STRIKE HOOD RIVER ELECTRIC COOPERATIVE'S CLOSING STATEMENT BY PACIFICORP** in OPUC Docket No. UA 110 by electronic mail and first class mail to the parties on the above service list.

DATED this 6th day of September, 2007.



Debbie DePetris
Supervisor, Regulatory Admin.

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UA 110

In the matter of

PROPERTY OWNERS OF TAX LOT 501;
Petition to review Service Area for Tax Lot 501.

Petitioners,

and

PACIFICORP (dba PACIFIC POWER) and
HOOD RIVER ELECTRIC COOPERATIVE, INC.,

Respondents.

**MOTION TO STRIKE
HOOD RIVER ELECTRIC
COOPERATIVE'S FINAL ARGUMENT
BY PACIFICORP**

Pursuant to Oregon Rules of Civil Procedure 21E, PacifiCorp, dba Pacific Power ("PacifiCorp" or "Company"), files this motion to strike Hood River Electric Cooperative's Closing Statement. In support of this motion, PacifiCorp states:

1. On May 21, 2007, PacifiCorp, Petitioners and Hood River Electric Cooperative ("HREC"), (collectively "the parties") filed a joint statement agreeing to a set of three facts.
2. On June 21, 2007, Administrative Law Judge Petrillo issued a ruling requiring the parties to provide notice of whether evidentiary hearings would be required or if a set of facts could be stipulated.
3. On July 9, 2007, the parties filed a joint statement agreeing that no evidentiary hearings were necessary, agreeing to the facts submitted in the May 21, 2007 joint statement, and stating that no further facts required stipulation.

4. On July 27, 2007, Administrative Law Judge Petrillo issued a ruling requiring the parties to notify the Oregon Public Utility Commission (“Commission”) as to whether or not briefs would be required in this docket. The ruling further stated that if briefing would not be required, then the Commission would issue its order based on the facts stipulated in the joint statements filed by the parties.

5. On August 10, 2007, the parties jointly filed a statement agreeing that briefs were not necessary in this docket. Instead, the parties proposed filing individual closing statements on August 31, 2007.

6. On August 23, 2007, Administrative Law Judge Petrillo convened a hearing in this docket. During the hearing, Judge Petrillo agreed to allow filed closing statements. Judge Petrillo stated that the parties must confine legal and policy arguments in the closing statements to the stipulated facts.

7. On August 31, 2007, HREC filed its Closing Statement. HREC’s Closing Statement contains three paragraphs, all three of which appear to contain fact-based statements.

8. None of the statements contained in HREC’s Closing Statement are included in the stipulated facts first jointly submitted by the parties on May 21, 2007 and acknowledged as jointly agreed to facts on July 9, 2007. PacifiCorp moves to strike HREC’s Closing Statement in its entirety as being outside the scope of the stipulated facts and Judge Petrillo’s rulings. Additionally, consideration of these unstipulated facts not otherwise supported by evidence admitted into the record would be highly prejudicial to PacifiCorp.

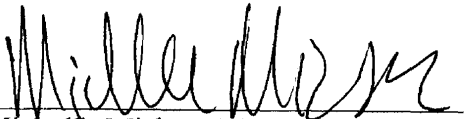
9. In the alternative, if HREC’s Closing Statement is allowed to stand as filed, PacifiCorp respectfully requests the opportunity to rebut the statements made in the “Fact” section and to provide supporting documentation as necessary.

CONCLUSION

Based on the foregoing, PacifiCorp respectfully moves to strike Hood River Electric Cooperative's Closing Statement.

DATED this 6th day of September, 2007.

Respectfully submitted,

By 

Michelle Mishoe OSB#07242

Pacific Power

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