

# Davison Van Cleve PC

Attorneys at Law

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Suite 400  
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Portland, OR 97204

February 25, 2010

*Via Electronic and US Mail*

Public Utility Commission  
Attn: Filing Center  
550 Capitol St. NE #215  
P.O. Box 2148  
Salem OR 97308-2148

Re: In the Matter of OREGON PUBLIC UTILITY STAFF Requesting the Commission direct PACIFICORP, dba PACIFIC POWER & LIGHT COMPANY to file tariffs establishing automatic adjustment clauses under the terms of SB 408.  
**Docket No. UE 177(3)**

Dear Filing Center:

Enclosed please find the Motion to Admit Prefiled Testimony and Exhibit on behalf of the Industrial Customers of Northwest Utilities ("ICNU"). Additionally, please find the Affidavit of Michael Early on behalf of ICNU.

Thank you for your assistance.

Sincerely yours,

/s/ Brendan E. Levenick  
Brendan E. Levenick

Enclosures

cc: Service List

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this day served the foregoing Motion to Admit Prefiled Testimony and Exhibit on behalf of the Industrial Customers of Northwest Utilities and Affidavit of Michael Early upon the parties, on the service list, by causing the same to be deposited in the U.S. Mail, postage-prepaid, or sent via electronic mail to those parties who have waived paper service in this proceeding.

Dated at Portland, Oregon, this 25th day of February, 2010.

/s/ Brendan E. Levenick  
Brendan E. Levenick

<b>CITIZENS' UTILITY BOARD OF OREGON (W)</b> ROBERT JENKS G. CATRIONA MCCRACKEN GORDON FEIGHNER OPUC DOCKETS 610 SW BROADWAY STE 308 PORTLAND OR 97205 catriona@oregoncub.org gordon@oregoncub.org bob@oregoncub.org dockets@oregoncub.org	DANIEL W MEEK 10949 SW 4TH AVE PORTLAND OR 97219 dan@meek.net
<b>DEPARTMENT OF JUSTICE</b> JASON W JONES REGULATED UTILITY & BUSINESS SECTION 1162 COURT ST NE SALEM OR 97301-4096 jason.w.jones@state.or.us	<b>KAFOURY &amp; MCDUGAL</b> LINDA K WILLIAMS 10266 SW LANCASTER RD PORTLAND OR 97219-6305 linda@lindawilliams.net
<b>MCDOWELL &amp; ASSOCIATES PC (W)</b> AMIE JAMIESON KATHERINE A MCDOWELL 520 SW SIXTH AVE STE 830 PORTLAND OR 97204 amie@mcd-law.com katherine@mcd-law.com	<b>PACIFICORP OREGON DOCKETS (W)</b> OREGON DOCKETS 825 NE MULTNOMAH ST STE 2000 PORTLAND OR 97232 oregondockets@pacificorp.com

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 177(3)**

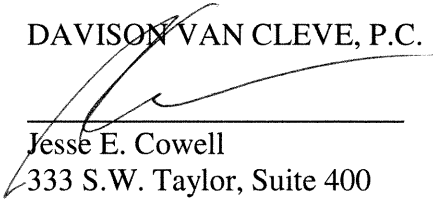
In the Matter of	)	
	)	INDUSTRIAL CUSTOMERS OF
PACIFIC POWER & LIGHT	)	NORTHWEST UTILITIES MOTION TO
(dba PACIFICORP)	)	ADMIT PREFILED TESTIMONY AND
	)	EXHIBIT
to File Tariffs Establishing Automatic	)	
Adjustment Clause Under the Terms of	)	
<u>SB 408.</u>	)	

The Industrial Customers of Northwest Utilities (“ICNU”) hereby moves that the prefiled testimony and exhibit of Michael Early submitted on behalf of ICNU be admitted to the record. The aforementioned ICNU witness’s affidavit was filed on February 25, 2010, with the Public Utility Commission of Oregon.

Dated this 25th day of February, 2010.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

  
\_\_\_\_\_  
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Of Attorneys for Industrial Customers  
of Northwest Utilities

**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

**UE 177(3)**

In the Matter of )  
)  
PACIFIC POWER & LIGHT )  
(dba PACIFICORP) )  
)  
to File Tariffs Establishing Automatic )  
Adjustment Clause Under the Terms of )  
SB 408. )

AFFIDAVIT OF MICHAEL EARLY

I, Michael Early, being first duly sworn on oath, depose and say:

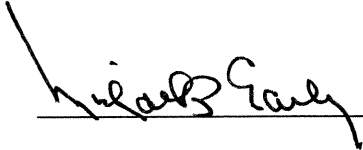
1. My name is Michael Early. I am the Executive Director of Industrial Customers of Northwest Utilities (“ICNU”). I am appearing in this proceeding as a witness for ICNU. My business address is: 333 SW Taylor, Suite 400, Portland, OR 97204.

2. I sponsored pre-filed testimony and an exhibit on behalf of ICNU in Oregon Public Utility Commission Docket No. UE 177(3). Specifically, my Direct Testimony and exhibit, ICNU/100-101, were filed on January 14, 2010.

3. My testimony and exhibit that were previously filed are true and accurate, and no corrections need to be made. If I were asked the same questions today, my answers would be the same.

I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE AND IS SUBJECT TO PENALTY FOR PERJURY.

SIGNED THIS 25<sup>th</sup> day of February, 2010, at Portland, Oregon.

  
\_\_\_\_\_

Michael Early

SUBSCRIBED AND SWORN to before me this 25<sup>th</sup> day of February, 2010.

  
\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

My Commission Expires: Sept 26, 2011

