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Via Electronic Mail and
Overnight Mail

September 19, 2006

Public Utility Commission of Oregon
550 Capitol Street NE, Suite 215
Salem, Oregon 97310
Attn: Carol Hulse

Re: Case No. UE-179

Dear Ms. Hulse:

Please find enclosed the original and five (5) copies each of the Motion to Admit Direct Testimony and Exhibits of Kevin C. Higgins Out of Time and the Affidavit of Kevin C. Higgins filed on behalf of the Fred Meyers Stores and Quality Food Centers, Divisions Of Kroger Co. in the above referenced matter.

Copies have been served on all parties of record. Please place this document of file.

Very truly yours,

A handwritten signature in black ink, appearing to read 'M. Kurtz', with a stylized flourish at the end.

Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

BOEHM, KURTZ & LOWRY

MLKkew

Enclosure

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served via regular mail, (unless otherwise noted), this 19th day of September, 2006.

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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 179

In The Matter Of:

PACIFICORP dba PACIFIC POWER &
LIGHT COMPANY

Request For A General Rate Increase In
The Company's Oregon Annual Revenues

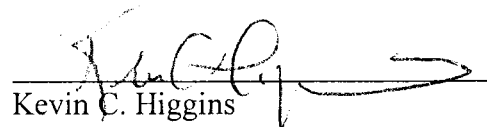
***AFFIDAVIT OF KEVIN C.
HIGGINS FILED ON BEHALF
OF THE FRED MEYER STORES
AND QUALITY FOOD
CENTERS, DIVISIONS OF
KROGER CO.***

State of Utah)
) ss
County of Salt Lake)

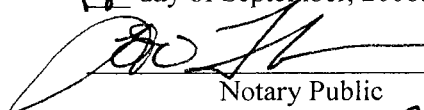
I, Kevin C. Higgins, being duly sworn on oath, depose and say:

1. My name is Kevin C. Higgins. I am a principal in the firm of Energy Strategies, LLC.
2. I sponsored direct testimony and exhibits in the above-captioned docket as follows: FM Exhibit 100, 101 and 102.
3. The aforementioned documents were prepared by me or under my direct supervision and are true and correct to the best of my knowledge and belief. If asked the questions set forth therein, my answers would be the same.

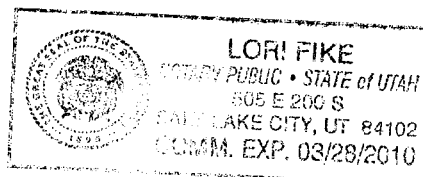
Further affiant sayeth naught.


Kevin C. Higgins

Sworn to and subscribed before me on this
18 day of September, 2006.



Notary Public
My commission expires: 3-29-10



**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 179

In The Matter Of:

PACIFICORP dba PACIFIC POWER &
LIGHT COMPANY

Request For A General Rate Increase In
The Company's Oregon Annual Revenues

**MOTION OF FRED MEYER
STORES AND QUALITY FOOD
CENTERS, DIVISIONS OF
KROGER CO. TO ADMIT
TESTIMONY AND EXHIBITS
OUT OF TIME**

COMES NOW, Fred Meyers Stores and Quality Food Centers, Divisions of Kroger Co. and asks the Commission to admit its pre-filed testimony and exhibits sponsored by its witness Kevin C. Higgins. This motion is supported by the attached affidavit.

Fred Meyers filed the testimony of Mr. Higgins on July 12, 2006, but neglected to file the accompanying Motion to Admit and Affidavit. Fred Myers was unaware of this requirement. In the future, Fred Meyers will comply with all of the Commission rules.



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COUNSEL FOR THE FRED MEYER STORES AND
QUALITY FOOD CENTERS, DIVISIONS OF KROGER
CO.

September 19, 2006