# **BEFORE THE PUBLIC UTILITY COMMISSION**

## **OF OREGON**

## UE 196

JOINT MOTION TO SUSPEND ) **PROCEDURAL SCHEDULE OF THE** In the Matter of ) INDUSTRIAL CUSTOMERS OF ) NORTHWEST UTILITIES AND THE PORTLAND GENERAL ELECTRIC ) **CITIZENS' UTILITY BOARD OF** COMPANY ) OREGON **EXPEDITED CONSIDERATION** Application to Amortize the Boardman Deferral. ) **REQUESTED**]

Pursuant to OAR § 860-013-0031, the Industrial Customers of Northwest Utilities ("ICNU") and the Citizens' Utility Board of Oregon ("CUB") (collectively the "Joint Parties") respectfully request that the schedule set in this Docket be suspended, pending resolution of the Joint Parties' Application for Reconsideration ("Application"), which is being filed concurrently with this Motion.

On December 10, 2008, the Public Utility Commission of Oregon held a prehearing conference in this Docket. The primary purpose of the conference was to set a procedural schedule to implement the Commission's decision to issue a Bench Request re-opening the record. At the conference, ALJ Wallace requested that PGE file responses to the Commission's Bench Request in the form of testimony. In addition, the ALJ set a schedule which includes three rounds of testimony and a hearing, with the first round of testimony being due from PGE on January 30, 2009. UE 196, Prehearing Conference Report at 1 (Dec. 11, 2008).

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DAVISON VAN CLEVE, P.C. 333 S.W. Taylor, Suite 400 Portland, OR 97204 Telephone: (503) 241-7242 The Joint Parties requested permission at the prehearing conference to brief the issue of whether the record in this docket should be re-opened. The ALJ denied this request, but noted that the Joint Parties could file a motion to reconsider the Commission's decision to reopen the record. <u>Id</u>. In response to the ALJ's direction, the Joint Parties are filing the Application.

If the Application is granted, the remaining schedule in this case will be unnecessary, because the case will be dismissed. To continue with the schedule, while the Application is pending, would create the risk that all parties might incur unnecessary time and expense in conducting discovery, drafting testimony and preparing for hearing. On the other hand, there would be no harm from suspending the procedural schedule, because the amounts at issue are in an interest bearing account. To allow the Commission adequate time to consider the Application, the Joint Parties request that the schedule be suspended pending a ruling on the Application.

# **EXPEDITED CONSIDERATION REQUEST**

Since the due date for PGE's Opening Testimony is only two weeks away, the Joint Parties respectfully request expedited consideration of this Motion.

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DAVISON VAN CLEVE, P.C. 333 S.W. Taylor, Suite 400 Portland, OR 97204 Telephone: (503) 241-7242 Dated this 15<sup>th</sup> day of January, 2009.

Respectfully submitted,

Davison Van Cleve, P.C.

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January 15, 2009

Via Electronic and U.S. Mail

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

#### In the Matter of PORTLAND GENERAL ELECTRIC COMPANY Re<sup>.</sup> Application to Amortize the Boardman Deferral. Docket No. UE 196

Dear Filing Center:

Enclosed please find the original Joint Motion to Suspend Procedural Schedule of the Industrial Customers of Northwest Utilities ("ICNU") and Citizens' Utility Board of Oregon ("CUB") in the above-captioned docket.

Thank you for your assistance.

Sincerely yours,

/s/ Brendan E. Levenick Brendan E. Levenick

Enclosures Service List cc:

# **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this day served the foregoing Joint Motion to

Suspend Procedural Schedule of ICNU and CUB upon the parties, on the official service list by

causing the foregoing document to be deposited, postage-prepaid, in the U.S. Mail, and via

electronic mail to those parties who have waived paper service.

Dated at Portland, Oregon, this 15th day of January, 2009.

*/s/ Brendan E. Levenick* Brendan E. Levenick

### CITIZENS' UTILITY BOARD OF OREGON (W) OPUC DOCKETS ROBERT JENKS G. CATRIONA MCCRACKEN 610 SW BROADWAY - STE 308 PORTLAND OR 97205 dockets@oregoncub.org

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