

ELLEN F. ROSENBLUM
Attorney General



MARY H. WILLIAMS
Deputy Attorney General

DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

March 7, 2013

Attention: Filing Center
Public Utility Commission of Oregon
550 Capitol Street NE, #215
PO Box 2148
Salem, OR 97308-2148
puc.filingcenter@state.or.us

Re: *In the Matter of PORTLAND GENERAL ELECTRIC COMPANY, Request for General Rate Revision*
PUC Docket No.: UE 262
DOJ File No.: 860115-GB0183-13

Enclosed for filing with the Commission today are an original and one copy of MOTION TO BIFURCATE PROCEEDING with certificate of service/service list.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephanie S. Andrus", is written over the typed name.

Stephanie S. Andrus
Senior Assistant Attorney General
Business Activities Section

Enclosures
SSA:jrs/#4037293
Electronic copies only
c: UE 262 Service List

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 **UE 262**

4 In the Matter of

5 PORTLAND GENERAL ELECTRIC
6 COMPANY

MOTION TO BIFURCATE PROCEEDING

7 Request for a General Rate Revision.
8

9 Staff of the Public Utility Commission of Oregon (Staff) asks the administrative law
10 judge (ALJ) for an order bifurcating this proceeding and creating a separate docket to allow
11 issues related to Portland General Electric Company's (PGE) Net Variable Power Costs (NVPC)
12 and its Annual Power Cost Update (APCU) proceed on a more expedited timeline. PGE, the
13 Citizens' Utility Board of Oregon, the Industrial Customers of Northwest Utilities, the League of
14 Oregon Cities, Troutdale Energy Center, LLC, and Noble Americas Energy Solutions LLC, do
15 not oppose this request.

16 PGE asks for a procedural schedule that will allow for a Commission decision of NVPC
17 issues by mid-October, noting that a mid-October decision date is consistent with its APCU
18 Tariff (Schedule 125), its Annual Short-term Transition Adjustment Tariff (Schedule 128), and
19 the November 2013 open access window. (UE 262 PGE Executive Summary at 4.) Although it
20 is possible to set parallel schedules in UE 262 to allow a more expedited resolution of NVPC
21 issues, Staff and some other parties prefer moving the NVPC issues to a separate docket to
22 reduce confusion.

23 The APCU Tariff is PGE's Schedule 125. PGE witnesses Mike Niman and Terri
24 Peschka address the APCU and NVPC in PGE/400, 401, and 402. Although it is likely sufficient
25 to simply bifurcate issues related to these PGE exhibits into a separate proceeding, Staff asks that
26 the ALJ issue a more general order. Staff asks the ALJ to issue an order opening a docket to

1 address issues related to PGE's NVPC and APCU and noting the parties' understanding that such
2 issues are addressed in PGE Exhibits 400, 401, 402 and Schedule 125 currently included in
3 PGE's General Rate Request.

4 The parties agreed to a procedural schedule to resolve NVPC issues at the March 4, 2013
5 prehearing conference in this docket. That schedule is as follows:

<i>Schedule for Proposed New Docket Net Variable Power Cost Schedule</i>	
PGE Files MONET Update	Monday, April 1, 2013
Settlement Conference	Tuesday, May 7, 2013
Staff and Intervenors file Reply Testimony	Tuesday, May 21, 2013
Settlement Conference	Wednesday, June 5, 2013
PGE Files Rebuttal Testimony	Tuesday, June 11, 2013
Staff and Intervenors File Surrebuttal Testimony	Monday, June 25, 2013
PGE Files Sur-Surrebuttal & MONET Update	Tuesday, July 16, 2013
Hearing	Tuesday, July 30, 2013
PGE Files MONET Update	Tuesday, October 1, 2013
Commission Decision Target Date	Monday, October 21, 2013
PGE Files MONET Update	Tuesday, November 5, 2013
PGE Files Final MONET Update	Friday, November 15, 2013
Effective Date of New Rates	Wednesday, January 1, 2014
<i>Amended Data Request Response Times</i>	
Time Period	Number of Business Days
<i>After PGE Files Rebuttal Testimony on June 11</i>	5 days

18 Staff asks that all persons that have intervened in UE 262 at the time of an order
19 bifurcating Docket No. UE 262 be deemed to have intervened in the new docket. Similarly,
20 Staff asks that the ALJ treat any petition to intervene in UE 262 that is pending at the time the
21 ALJ issues an order bi-furcating the docket as a petition to intervene in both UE 262 and the new
22 docket.

23 Finally, Staff asks that if the ALJ grants the request to open a new docket to address
24 issues related to PGE's NVPC, that the ALJ order that the protective order issued in this docket
25 on February 11, 2013 (OPUC Order No. 13-042) also applies to the new docket. And, to the
26 extent any party has filed a signature page for Order No. 13-042, that party be deemed to have a

1 filed a signature page in the new docket.

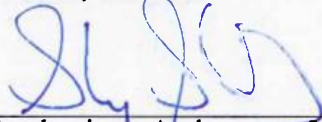
2 **CONCLUSION**

3 Staff asks that the ALJ issue an order moving issues related to PGE's APCU and NVPC
4 to a new docket, adopting the procedural schedule for that docket that is included in this motion,
5 and adopting Staff's recommendations regarding intervention and the protective order.

6
7 DATED this 7th day of March 2013.

8 Respectfully submitted,

9 ELLEN F. ROSENBLUM
10 Attorney General

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12 _____
13 Stephanie S. Andrus, #92512
14 Senior Assistant Attorney General
15 Of Attorneys for Oregon Public Utility
16 Commission, State of Oregon
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CERTIFICATE OF SERVICE/SERVICE LIST

I hereby certify that on the 7th day of March, 2013, I served the foregoing MOTION TO BIFURCATE PROCEEDING upon the persons named on the service list below, who have waived such service by mail, by serving a full, true and correct copy thereof at their e-mail address, as follows.

Gregory M. Adams
Richardson & O'Leary
greg@richardsonandoleary.com

Gregg Bass
Noble Americas Energy Solutions, LLC
gbass@noblesolutions.com

Tommy A. Brooks
Cable Huston Benedict Haagensen &
Lloyd
tbrooks@cablehuston.com

E-Filing
Northwest Natural
efiling@nwnatural.com

Michael Gorman (C)
Brubaker & Associates Inc.
mgorman@consultbai.com

Maja Haium
League of Oregon Cities
mhaium@orcities.org

Kevin Higgins
Energy Strategies LLC
khiggins@energystrat.com

Robert Jenks (C)
Citizens' Utility Board of Oregon
bob@oregoncub.org

Judy Johnson (C)
Oregon Public Utility Commission
judy.johnson@state.or.us

G. Catriona McCracken (CI)
Citizens' Utility Board of Oregon
catriona@oregoncub.org

OPUC Dockets
Citizens' Utility Board of Oregon
dockets@oregoncub.org

Oregon Dockets
PacifiCorp, dba Pacific Power
oregondockets@pacificorp.com

Paula E. Pyron
Troutdale Energy Center
ppyron@cpkinder.com

Lisa F. Rackner
McDowell Rackner & Gibson PC
dockets@mcd-law.com

Johanna Riemenschneider (C)
PUC-Staff
Oregon Department of Justice
johanna.riemenschneider@doj.state.or.us

Tracy Rutten
trutten@orcities.org

Donald W. Schoenbeck (C)
Regulatory & Cogeneration Services Inc.
dws@r-c-s-inc.com

Chad M. Stokes
Cable Huston Benedict Haagensen &
Lloyd LLP
cstokes@cablehuston.com

Mark Thompson
Northwest Natural
mark.thompson@nwnatural.com

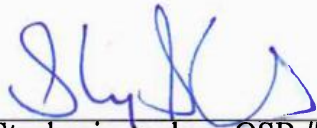
Douglas Tingey
Portland General Electric
doug.tingey@pgn.com

Jay Tinker
Portland General Electric
pge.opuc filings@pgn.com

S. Bradley Van Cleve (C)
Davison Van Cleve PC
mail@dvclaw.com

Sarah Wallace
Pacific Power
sarah.wallace@pacificorp.com

(C)= Confidential


Stephanie Andrus, OSB #925123
Senior Assistant Attorney General
Of Attorneys for Staff of the Public Utility
Commission of Oregon