

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

UM 1002

WAH CHANG,

Petitioner,

v.

PACIFICORP,

Respondent.

PACIFICORP'S UNOPPOSED MOTION TO  
CORRECT THE RECORD

(Court of Appeals No. A143692)

Pursuant to Oregon Rule of Appellate Procedure (ORAP) 4.22(1), PacifiCorp respectfully moves the Commission to correct the record the Commission filed with the Oregon Court of Appeals on February 23, 2010, in Appellate Court No. CA A143692. Counsel for PacifiCorp has conferred with counsel for Petitioner Wah Chang who does not oppose this motion.

First, PacifiCorp moves the Commission pursuant to ORAP 4.22(1)(b) to add material that was made part of the record before the Commission but was omitted from the record as filed with the Court of Appeals. Specifically, PacifiCorp moves the Commission to add the Declaration of William R. Griffith (the "Griffith Declaration"), filed with the Commission on October 15, 2007. The Griffith Declaration was filed with the Commission as Exhibit 1 to PacifiCorp's Post-Hearing Opening Brief filed on October 15, 2007, along with Attachments 1 and 2 to the Griffith Declaration (item 32 in the Transmittal of Entire Record and Certificate (the "Certificate") filed by the Commission).

Along with certain pages of PacifiCorp's Post-Hearing Opening Brief, the entirety of the Griffith Declaration and its two attachments were deemed confidential pursuant to the terms of the Stipulated Protective Order, and PacifiCorp filed them on yellow paper and in a sealed

envelope delivered to the PUC with the redacted version of the brief as required by the Commission's rules.

The Certificate identifies PacifiCorp's Post-Hearing Opening Brief at item 32 with pages marked 2188-2236. In the redacted version of the brief the Commission filed, at item 32, page 2231, there is a slip sheet indicating that Exhibit 1 (the Griffith Declaration and attachments 1 and 2) was filed confidentially. The Certificate also indicates at item 32 that the confidential version of the brief is contained in Envelope #181(28). However, while the other confidential portions of the brief are located in that envelope, the five-page Griffith Declaration is not contained in the envelope nor, to our knowledge, is it anywhere else in the record. Attachments 1 and 2 to the Griffith Declaration are contained in the envelope.

Accordingly, PacifiCorp respectfully moves the Commission to add the five-page Griffith Declaration to the record filed with the Court of Appeals. For the convenience of the Commission, the Griffith Declaration is filed with the paper copy of this Motion in a sealed envelope pursuant to the Stipulated Protective Order (it is not included with the electronic copy of this Motion, to preserve its confidentiality, nor is it being served with this motion).

Second, PacifiCorp moves the Commission pursuant to ORAP 4.22(1)(a) to correct several errors in the transcript of the hearing held on August 7 and 8, 2007 (item #218 in the Certificate). Specifically, the Commission should order the following corrections:

<b>Transcript page and line</b>	<b>Currently reads</b>	<b>Should read</b>
Page 38, line 8	comp	COB
Page 84, lines 1 and 2	Morton	Martin
Page 107, line 6	purposes	purchases
Page 109, line 4	stems	steps
Page 115, line 18	impl	imply
Page 115, line 20	cou	court

Page 119, line 20	Some days	Sundays
Page 147, line 5	sign	[the parties agree that "sign" is not correct but do not know what the correct word should be and suggest that the court reporter review the records]
Page 200, line 14	83.3 billion	3.3 billion

Respectfully submitted,

DATED: March 10, 2010

**PERKINS COIE LLP**

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**CERTIFICATE OF SERVICE**

I certify that I have this day served the foregoing document, encaptioned PACIFICORP'S UNOPPOSED MOTION TO CORRECT THE RECORD, by causing a copy to be sent via U.S. Mail and electronic mail (or as otherwise indicated below) to:

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DATED: March 10, 2010

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