

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1050

In the Matter of)	
)	
PACIFICORP)	REQUEST FOR ORAL ARGUMENT OF
)	ICNU
Requesting to Initiate an Investigation of)	
Multi-Jurisdictional Issues.)	
_____)	

Pursuant to ORS § 756.518 and OAR § 860-014-0090(4), the Industrial Customers of Northwest Utilities (“ICNU”) respectfully requests that the Oregon Public Utility Commission (“OPUC” or “Commission”) schedule oral argument in Docket No. UM 1050. ICNU requests oral argument pursuant to ORS § 756.518 on the basis that Docket No. UM 1050 is a “major proceeding” as defined in OAR § 860-014-0023. In the alternative, ICNU requests that the Commission schedule oral argument as a matter of Commission discretion.

ORS § 756.518 provides that the Commission shall hold oral argument in a “major proceeding” upon the request of a party before issuing a final order. OAR § 860-014-0023 defines “major proceeding” as a proceeding that “has or is expected to have, a full procedural schedule with written testimony or written comments” and either (1) has a substantial impact on utility rates for a utility with over 50,000 customers; or (2) has a significant impact on utility customers or the operations of a regulated utility serving more than 50,000 customers.

Docket No. UM 1050 is a major proceeding pursuant to OAR § 860-014-0023. Thus, it is appropriate for the Commission to schedule oral argument. First, the procedural schedule in this docket includes testimony and a hearing. Second, the resolution of multi-

jurisdictional issues and the approval of an interjurisdictional cost allocation protocol will have a significant impact on both PacifiCorp, a regulated utility serving more than 50,000 customers, and its customers. The resolution of this issue by the OPUC also could have a substantial impact on PacifiCorp's rates in the future. Thus, oral argument is appropriate in this instance.

In the alternative, ICNU requests that the Commission schedule oral argument as a matter of discretion. Pursuant to OAR § 860-014-0090(4), the Commission retains the right to hold oral argument regardless of whether Docket No. UM 1050 is deemed a "major proceeding." The substantial impact of the outcome of this docket on PacifiCorp and its customers warrants oral argument. The consequences of the Commission's ruling could impact PacifiCorp's Oregon customers for years to come. For these reasons, oral argument is appropriate.

WHEREFORE, ICNU requests that the Commission schedule oral argument in this proceeding.

Dated this 14th day of July, 2004.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

Melinda J. Davison
Davison Van Cleve, P.C.
1000 SW Broadway, Suite 2460
Portland, Oregon 97205
(503) 241-7242 phone
(503) 241-8160 facsimile
mail@dvclaw.com
Of Attorneys for Industrial Customers
of Northwest Utilities

PAGE 2 – REQUEST FOR ORAL ARGUMENT OF ICNU