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October 28, 2020

Via Electronic Filing

Public Utility Commission of Oregon
Attn: Filing Center
PO Box 1088
Salem, OR 97308-1088

Re: UM 1971 - Waconda Solar, LLC v. Portland General Electric Company

Attention Filing Center:

Enclosed for filing today in the above-named docket is the parties' Joint Motion to Extend Time. **Please note that expedited consideration has been requested.**

Thank you for your assistance.

Very truly yours,

s/ Jeffrey S. Lovinger

Jeffrey S. Lovinger

Attachment
10645460

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UM 1971**

WACONDA SOLAR, LLC,

Complainant,

vs.

PORTLAND GENERAL ELECTRIC
COMPANY,

Defendant.

**JOINT MOTION TO EXTEND
TIME**

Expedited Consideration Requested

Pursuant to OAR 860-001-0420, Complainant Waconda Solar, LLC (“Waconda Solar”) and Defendant Portland General Electric Company (“PGE”) jointly move Chief Administrative Law Judge (“ALJ”) Nolan Moser for a ruling that extends the current deadline for Waconda Solar’s Response to PGE’s Motion for Summary Judgment by six weeks (i.e., moving the deadline from November 4, 2020 to December 16, 2020). The parties have agreed that with this extension of time, the depositions previously noticed by Waconda Solar will be moved by six weeks to December 14, 2020.

The purpose of the requested extension is to accommodate the parties’ decision to engage in further settlement discussions. As with the parties’ previous joint motions regarding the schedule, the parties wish to maintain their respective positions with regard to data requests or other discovery, even with the requested six-week extension. Thus, the parties propose that the ALJ’s order grant the extension requested above and also approve conditions on future discovery that are intended to preserve that status. The parties thus request an order from the ALJ:

1. Approving an extension of the due date of Waconda Solar’s Response to PGE’s Motion for Summary Judgment to December 16, 2020;
2. Acknowledging the parties’ agreement to move the previously noticed depositions to December 14, 2020; and

3. Limiting discovery during this period of extension, such that: (a) for any depositions noticed by Waconda Solar from October 28, 2020 through December 16, 2020, the required notice period will be extended by 42 days (i.e., the required notice period will be 52 days); and (b) for any data requests or other discovery requests advanced by Waconda Solar from October 28, 2020 through December 16, 2020, PGE's required response date is extended by an additional 42 days (i.e., the response period will be 56 days).

Waconda Solar and PGE request expedited consideration of this joint motion and a ruling by October 30, 2020, or as soon as practical.

Good cause exists to issue the requested ruling because it will facilitate the parties' efforts to explore a resolution of some or all of the issues in the case and will implement an agreement on scheduling that has been reached by the parties.

Both parties reserve their rights with respect to discovery and the depositions that Waconda Solar has requested (or may request hereafter). Specifically, PGE reserves its right to object to any of the data requests or notices of deposition issued by Waconda Solar and reserves its right to seek a protective order regarding any discovery requests made by Waconda Solar. Similarly, Waconda solar reserves its right to seek information from PGE, consistent with the ALJ's August 3, 2019 ruling, except as limited by this joint motion.

The parties anticipate that if settlement efforts are fruitful, an additional extension of time may be sought from the ALJ through a future motion.

DATED this 28th day of October, 2020.

Respectfully submitted,

PORTLAND GENERAL ELECTRIC
COMPANY

WACONDA SOLAR LLC

s/ Jeffrey S. Lovinger

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