

March 9, 2005

PUBLIC UTILITY COMMISSION OF OREGON
ATTN: FILING CENTER
550 CAPITOL ST NE STE 215
PO BOX 2148
SALEM OR 97308-2148

Re: In the Matter of Portland General Electric Company Petition for a
Declaratory Ruling Regarding the Application of OAR 860-022-0045
Docket No. DR 32

Enclosed for filing is the Petition of City of Portland, Oregon to Intervene and to Participate as a Party in this matter. The Petition has also been sent to you via electronic format today.

Very truly yours,

/s/ Benjamin Walters
Benjamin Walters
Senior Deputy City Attorney

BEW:pd
Enclosure

c: Douglas C. Tingey (via e-mail)

1 BEFORE THE PUBLIC UTILITY COMMISSION

2 OF OREGON

3 DR 32

4
5 In the Matter of PORTLAND GENERAL
6 ELECTRIC COMPANY Petition for a
7 Declaratory Ruling Regarding the Application
of OAR 860-022-0045

PETITION OF CITY OF PORTLAND,
OREGON TO INTERVENE AND TO
PARTICIPATE AS A PARTY

8 Pursuant to ORS 756.525 and OAR 860-012-0001, the City of Portland, Oregon
9 respectfully petitions the Commission for leave to intervene as a party in this proceeding on the
10 following grounds:

11 1. The City of Portland, Oregon, (the “City”), is a municipal corporation duly
12 organized and existing under the laws of the State of Oregon.

13 2. The business address for the City of Portland for purposes of participation as a
14 party of record in this proceeding is:

15 Thomas Lannom
16 Director
17 Bureau of Licenses
18 111 SW Columbia, Suite 600
Portland OR 97201
Fax Number: (503) 279-2669
e-mail address: tlannom@ci.portland.or.us

19 3. Correspondence and service of papers related to this proceeding should be
20 presented also upon the City’s counsel:

21 Benjamin Walters
22 Deputy City Attorney
23 Office of City Attorney
24 Room 430, 1221 SW 4th Avenue
Portland, OR 97204
25 Fax Number: 503-823-3089
26 e-mail address: bwalters@ci.portland.or.us

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1 4. On February 24, 2005, Portland General Electric submitted to this Commission a
2 petition for a declaratory ruling that the county taxes itemized on its customer billings should be
3 calculated on a stand-alone basis, while the utility calculated its tax obligations to the
4 government on a consolidated basis.

5 5. PGE is one of several utilities serving customers within the City of Portland,
6 Oregon, located within Multnomah County.

7 6. Under authority of its city charter and state law, the City of Portland has the
8 responsibility and obligation to protect the interests of its citizens in public utility matters.

9 7. The City of Portland is one of PGE's larger customers, with over 600 accounts
10 and a total combined annual PGE utility bill of approximately \$8,500,000. The outcome of this
11 proceeding will have a significant impact upon the City's fiscal interests.

12 8. The City of Portland also serves as the collection agent for Multnomah County's
13 business income tax, under an intergovernmental agreement between the City and the County.

14 9. Because of its own authority over utilities and its experience in utility taxation
15 and regulation, the City has knowledge and expertise that can assist the Commission in
16 reviewing this petition.

17 10. As an intervenor in this proceeding, the City will address such issues as it deems
18 relevant to its interests, including issues that it identifies itself within the time set for such action
19 and issues identified by others that may affect City interests.

20 11. The City's appearance and participation will not unreasonably broaden the issues,
21 burden the record, or otherwise delay this proceeding.

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1 CERTIFICATE OF SERVICE

2 I hereby certify that I sent a copy of the foregoing PETITION OF CITY OF
3 PORTLAND, OREGON TO INTERVENE AS A PARTY to:

4 PUBLIC UTILITY COMMISSION OF OREGON
5 ATTN: FILING CENTER
5 550 CAPITOL STREET NE – STE. 215
6 PO BOX 2148
6 SALEM OREGON 9708-2148
7 E-mail: PUC.FilingCenter@state.or.us

8 on the 9th day of March, 2005, via e-mail as shown above and by mailing the original of said
9 document, contained in a sealed envelope with postage paid, and deposited in the post office at
10 Portland, Oregon on said day.

11 I further certify that the foregoing document was electronically mailed to all Persons on
12 the Service List maintained by the Public Utility Commission for the DR 32 proceeding who
13 have an e-mail address posted. I further certify that for those persons on the Service List who
14 were not identified as having an e-mail address, a copy was sent by first class mail, contained in
15 a sealed envelope, with postage paid, and deposited in the post office at Portland, Oregon on said
16 day.

17 **SERVICE LIST**

18 DOUGLAS C. TINGEY
19 PORTLAND GENERAL ELECTRIC
19 121 SW SALMON 1WTC13
20 PORTLAND OR 97204
20 doug.tingey@pgn.com

23 /s/ Benjamin Walters

24

Benjamin Walters, OSB #85354
25 Deputy City Attorney
26 Of Attorneys for City of Portland

26 J:\FRANCH\PGE.BEW\DR 32\Pleadings\Petition to Intervene.doc