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September 1, 2005

Annette Taylor
Oregon Public Utility Commission
Administrative Hearings Division
P. O. Box 2148
Salem, Oregon 97308-2148

Re: **UF 4218 / UM 1206**

Dear Ms. Taylor:

Enclosed for filing in the above-referenced dockets are the original and five copies each of the following:

(1) Stipulation among Portland General Electric Company, Stephen Forbes Cooper, LLC, as Disbursing Agent, on behalf of the Reserve for Disputed Claims, Enron Corp., The Citizens' Utility Board of Oregon, Staff of the Public Utility Commission of Oregon, Industrial Customers of Northwest Utilities and Community Action Directors of Oregon and Oregon Energy Coordinators Association.

(2) Motion for Waiver of OAR 860-014-0085(4) Requirement of Filing Supporting Testimony with a Filed Stipulation and Motion Pursuant to OAR 860-014-0085(5) to Reduce the Number of Days within which Objections to the Stipulation may be Filed.

Original signatures to the Stipulation will be filed in due course. Please contact the undersigned with any questions regarding this filing. We are aware that the attorney of record for the City of Portland, Benjamin Walters, is out of town and that Mr. Terrence Thatcher is handling this matter in his absence. Therefore we are also serving Mr. Thatcher.

Yours truly,

A handwritten signature in black ink, appearing to read "Michael M. Morgan", written in a cursive style.

Michael M. Morgan

ps

Enclosures

cc: Service Lists

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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UF 4218 / UM 1206

In the Matter of the Application of PORTLAND
GENERAL ELECTRIC COMPANY for an
Order Authorizing the Issuance of 62,500,000
Shares of New Common Stock Pursuant to ORS
757.410 et seq. **UF 4218**

and

In the Matter of the Application of STEPHEN
FORBES COOPER, LLC, as Disbursing Agent,
on behalf of the RESERVE FOR DISPUTED
CLAIMS, for an Order Allowing the Reserve for
Disputed Claims to Acquire the Power to
Exercise Substantial Influence over the Affairs
and Policies of Portland General Electric
Company Pursuant to ORS 757.511 **UM 1206**

**MOTION FOR WAIVER OF OAR
860-014-0085(4) REQUIREMENT OF
FILING SUPPORTING TESTIMONY
WITH A FILED STIPULATION AND
MOTION PURSUANT TO OAR 860-
014-0085(5) TO REDUCE THE
NUMBER OF DAYS WITHIN
WHICH OBJECTIONS TO THE
STIPULATION MAY BE FILED**

This Motion is filed by Portland General Electric Company (“PGE”), Stephen Forbes Cooper, LLC (“SFC”), as Disbursing Agent, on behalf of the Reserve for Disputed Claims (“Reserve”), Enron Corp. (“Enron”), Staff of the Public Utility Commission of Oregon and Industrial Customers of Northwest Utilities (collectively, “Movants”). Contemporaneously with the filing of this Motion, the Movants have filed in these proceedings a Stipulation (the “Stipulation”) among Movants, The Citizens’ Utility Board, and Community Action Directors of Oregon and Oregon Energy Coordinators Association. The Stipulation resolves all the issues in these proceedings among the parties to the Stipulation (“Settlement Parties”) and requests that

the Public Utility Commission of Oregon ("Commission") approve the Application filed by PGE and SFC as Disbursing Agent on behalf of the Reserve in these proceedings (the Application"). A copy of the Stipulation is attached to this Motion as Exhibit 1. The Stipulation sets forth a series of 17 conditions that will apply with respect to PGE and the Reserve if the Commission approves the Application.

In order to facilitate a timely review of the Stipulation by other parties and to preserve the schedule in this docket without prejudicing any other party, Movants request orders from the Administrative Law Judge as follows:

(1) An order waiving the requirement under OAR 860-014-0085(4) that supporting testimony be filed with the filing of the Stipulation; and

(2) An order reducing the 20-day time period for filing objections to the Stipulation set forth in OAR 860-014-0085(5) to require any objections to be filed by September 16, 2005.

Movants will file testimony supporting the Stipulation by the close of business September 7, 2005.

The Administrative Law Judge has granted the City of Portland an extension of time to file its responsive testimony in these proceedings until September 16, 2005. In order to facilitate the granting of these Motions, Movants are willing for the ALJ to extend the time for any other party to file responsive testimony until September 16, 2005. This time period will also give other parties who are not Settlement Parties adequate time to review the Stipulation and file objections to the Stipulation by September 16, 2005. This will allow the parties to maintain the schedule currently set for these proceedings.

Respectfully submitted this 1st day of September, 2005.

Portland General Electric Company

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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UF 4218 / UM 1206**

In the Matter of the Application of PORTLAND
GENERAL ELECTRIC COMPANY for an Order
Authorizing the Issuance of 62,500,000 Shares of
New Common Stock Pursuant to ORS 757.410 et
seq. **UF 4218**

STIPULATION

and

In the Matter of the Application of STEPHEN
FORBES COOPER, LLC, as Disbursing Agent,
on behalf of the RESERVE FOR DISPUTED
CLAIMS, for an Order Allowing the Reserve for
Disputed Claims to Acquire the Power to Exercise
Substantial Influence over the Affairs and Policies
of Portland General Electric Company Pursuant to
ORS 757.511 **UM 1206**

This Stipulation ("Stipulation") is between Portland General Electric Company ("PGE"), Stephen Forbes Cooper, LLC, as Disbursing Agent ("Disbursing Agent"), on behalf of the Reserve for Disputed Claims ("Reserve") (collectively, the "Applicants"), and the parties to these proceedings that execute the original or a counterpart of this Stipulation (collectively, together with the Applicants, the "Settlement Parties" or "Parties"). The purpose of this Stipulation is to resolve all issues in these dockets among the Settlement Parties.

On June 16, 2005, the Applicants filed an application (the "Application") with the Oregon Public Utility Commission ("Commission"). The Application requests an order from the Commission pursuant to ORS 757.410, et seq., authorizing PGE to issue 62,500,000 shares of New PGE Common Stock with Holders of Allowed Claims receiving not less than 30% or 18,750,000 of such shares, and the Disbursing Agent as registered holder for the Reserve receiving not more than 70% or 43,750,000 of such shares. The issuance of the New PGE

Common Stock would replace in full the existing PGE common stock, currently held 100% by Enron Corp. ("Enron"), which will be cancelled upon the issuance of the New PGE Common Stock.

The Reserve requested an order from the Commission pursuant to ORS 757.511 for the Reserve to hold more than 5% of the New PGE Common Stock and to vote not more than 70% of the New PGE Common Stock.

On August 10, 2005, PGE and the Reserve filed direct testimony in support of the Application. No other party has filed testimony in this proceeding. After PGE filed its direct testimony, the Settlement Parties held settlement discussions with respect to the Application on August 17 and August 23, 2005.

The Settlement Parties agree that, subject to the conditions ("Conditions") and the other commitments of the Settlement Parties set forth herein, the issuance of the New PGE Common Stock to Holders of Allowed Claims and the Reserve as requested in the Application will provide net benefits to PGE's customers and will serve PGE's customers in the public interest. The Settlement Parties agree that, subject to the Conditions and the other commitments of the Settlement Parties set forth herein, the Commission should approve the Application. The Settlement Parties agree that this is a unique Application under 757.511 and it should not be utilized by any party as precedent as to what generally constitutes a net benefit under 757.511.

The Settlement Parties agree that in the event the Commission approves the Application and this Stipulation, the Conditions shall be incorporated in the final Commission order approving the Application. The Settlement Parties also agree that in the event the Commission approves the Application and this Stipulation, the final order shall provide that: (1) the conditions adopted by Commission in Order 97-196, Docket UM 814, shall apply to PGE and

Enron until the date of the issuance of the New PGE Common Stock, at which time they will terminate; provided that the obligations of PGE and Enron under conditions 7 and 10 of the Stipulation in UM 814 shall not be enforced against Enron but may be enforced, if at all, only against PGE; and (2) the Conditions set forth in this Stipulation shall apply from and after, but not before, the date of the issuance of the New PGE Common Stock, except that Condition 11 shall apply from and after the date the Commission approves the Application and Condition 6(c) of this Stipulation shall apply from and after the date the Commission approves the Application until such Condition is terminated in accordance with Condition 6(d) of this Stipulation. PGE agrees to assume full legal and financial responsibility of Enron's obligations associated with conditions 7 and 10 of the UM 814 Stipulation to the extent required by Conditions 6(a)(i) and 6(b) of this Stipulation.

Terms used in this Stipulation but not defined herein shall have the meanings given to them in the Application.

Conditions

1. There will be no direct charges or allocations to PGE from the Reserve.
2. PGE shall provide the Commission access to all books of account, as well as all documents, data and records of their affiliated interests, which pertain to transactions between PGE and all its affiliated interests. The Reserve shall provide the Commission access to all books of account, as well as all documents, data and records pertaining to PGE. Nothing in this Condition shall be deemed a waiver of PGE's or the Reserve's right to seek a protective order to maintain the confidentiality of the information described above.
3. All PGE financial books and records shall be kept in Portland, Oregon.
4. PGE shall exclude from PGE's utility accounts all non-recurring costs of PGE's

transition from a privately held corporation to a publicly traded corporation, including but not limited to the costs of the issuance of the New PGE Common Stock, the initial listing of such stock on a national stock exchange, and the release of any such stock held by the Reserve to Holders of Allowed Claims. Beginning within 90 days following the date of issuance of the New PGE Common Stock, PGE will provide annual reports of these costs.

5. PGE shall not make any distribution to shareholders that would cause PGE's common equity capital to fall below 48% of the total PGE capital without Commission approval. This 48% minimum common equity capital percentage shall be reduced to a 45% minimum common equity capital percentage at such time that the Reserve holds 20% or more but less than 40% of the issued and outstanding common stock of PGE. There shall be no minimum common equity capital percentage during the time that the Reserve holds less than 20% of the issued and outstanding common stock of PGE. PGE may seek, through a filing and Commission order, adjustment of the minimum common equity capital percentage. The other Settlement Parties may take any position they deem appropriate if PGE seeks adjustment of the minimum common equity capital percentage.

6. (a) PGE agrees not to seek recovery of increases in the allowed return on common equity and other costs of capital (i) due to Enron's ownership of PGE or (ii) caused by the ownership by the Reserve of 25% or more of PGE's issued and outstanding common stock. These capital costs refer to the costs of capital used for purposes of rate setting, avoided cost calculations, affiliated interest transactions, least cost planning, and other regulatory purposes.

(b) PGE agrees not to seek recovery of increases in PGE's revenue requirement that result from Enron's ownership of PGE.

(c) In connection with Conditions 6(a)(i) and 6(b), PGE shall not make any

distribution to shareholders that would cause PGE's common equity capital to fall below the level specified in Condition 5 plus \$40 million. PGE has agreed to maintain this additional \$40 million during the pendency of PGE's next general rate case to assure PGE's financial capacity to absorb adjustment(s), if any, in PGE's revenue requirement resulting from Conditions 6(a)(i) and/or 6(b).

(d) Condition 6(c) shall expire thirty (30) days after the PGE tariffs approved in PGE's next general rate case become effective, without regard to any appeal of the Commission's order approving such tariffs.

7. PGE and the Reserve shall provide the Commission unrestricted access to all written information provided to common stock and bond analysts, or rating agencies, which directly or indirectly pertains to PGE or any affiliate that exercises influence or control over PGE. Such information includes, but is not limited to, reports provided to, and presentations made to, common stock and bond analysts and rating agencies. For purposes of this Condition, 'written' information includes but is not limited to any written and printed material, audio and video tapes, computer disks and electronically-stored information. Nothing in this Condition shall be deemed to be a waiver of PGE's or the Reserve's right to seek a protective order to maintain the confidentiality of the information.

8. During the time that the Reserve holds 25% or more of the issued and outstanding common stock of PGE, PGE shall provide the Commission written notice of any dividend declared by the board of directors of PGE at the same time that PGE discloses this information to the public.

9. PGE agrees to extend the Service Quality Measures Stipulation as adopted in UM 814 in OPUC Order 97-196, dated June 4, 1997, as recorded in the Stipulation made but not adopted in UM 1121 and included in Order 05-114, Appendix B, for a ten (10) year period including calendar years 2007 through 2016. In addition, PGE agrees to work with ICNU to evaluate and, if necessary, develop additional service quality standards related to service to industrial customers with a focus on high tech companies.

10. Conditions #2 and #7 shall no longer apply to the Reserve at such time as the Commission finds that the Reserve holds less than 25% of PGE's issued and outstanding common stock.

11. From the date the Commission approves the Application to the date of the issuance of the New PGE Common Stock, PGE shall not make any distribution to Enron unless PGE has a senior secured debt rating of not lower than BBB+ from Standard & Poor's and can reasonably expect to maintain that rating after the distribution.

12. (a) For five (5) years beginning with 2006, PGE commits that up to two (2) representatives from each customer group precertified to receive intervenor funding from electric companies pursuant to OAR 860-012-0100 will be invited to at least one meeting of the PGE Board of Directors per year to address the Board. During 2010, PGE will consult with these customer groups regarding whether this standing appearance is useful and should continue. For so long as this Condition is in place, PGE will consider making a similar opportunity available to non-profit interest groups representing interests relevant to energy policy and PGE's service to customers.

(b) For five (5) years beginning with 2006, PGE commits to provide a process by which representatives of organizations representing customer, environmental or low-income

interests may meet with PGE officers on a periodic basis to discuss matters of policy and utility operations. PGE commits to the availability of management for the purposes of these meetings on a quarterly basis, contingent on the organizations requesting such meetings. During 2010, PGE will consult with the organizations with whom it has interacted under this Condition regarding the usefulness of the process and whether it should continue.

13. PGE agrees not to propose in its next general rate case a decoupling mechanism that would apply to Schedule 83. PGE further agrees to oppose a decoupling mechanism for Schedule 83 if any other party makes such a proposal in its next general rate case.

14. PGE agrees to work in good faith with Staff and other interested parties to develop and present to the Commission a billing accuracy service quality measure ("SQM"). Within 180 days of a Commission order approving the Application, PGE will file with the Commission a billing accuracy SQM. In general, the SQM would apply to systematic errors (such as programming and input errors, failure to follow tariff provisions and failure to implement rates correctly) and would be reasonably consistent with billing accuracy SQMs that apply to other energy utilities in Oregon. The SQM could exclude billing errors resulting from such sources as meter reads, customer meter reads, crossed meters, customer-caused errors, force majeure, estimates due to access issues, or inaccuracies that do not affect the calculation of the bill or prevent the bill from reaching the customer, but would not necessarily exclude Commission-required notices. In addition, PGE can also request exclusions or reductions in remedy amounts where there are mitigating circumstances. The SQM could include the ability for PGE to request a targeted and time-limited exclusion category for the introduction of a new metering or billing program or new tariff offering. Each bill affected by a systematic error would be considered an incident in the month the bill is issued, except that

multiple bills to the same customer that contain the same type of error would count as one incident in that month. PGE would provide the Commission notice within 10 days after becoming aware of a specific billing error incident and after a certain level of errors per month. A written report would follow within a certain number of days. PGE would also prepare an annual report on billing for the Commission, to include such information as the number of estimated bills and bills excluded from this SQM under one of the approved categories. The SQM would include a per-incident remedy for errors beyond an agreed level, and a monthly or quarterly and annual maximum remedy. No bill counted as an error for purposes of this SQM would also be the basis of an At-Fault complaint for purposes of the C-1 SQM in PGE's Service Quality Program. The SQM would include a trial period before remedies applied. The parties also agree to review the costs of implementing and operating this SQM program prior to presenting it to the Commission. The Settlement Parties other than PGE may take any position they deem appropriate regarding the filings made under this Condition.

15. (a) PGE shall propose for OPUC approval to offer customers with aggregate load larger than 1 aMW (each point of delivery of at least 250 kW) a three-year and a five-year option to opt out of the cost of service rate with a fixed transition amount under similar terms as current Schedule 483 (effective September 1, 2004).

Subject to OPUC approval, the Schedule 483 offer will be made each September for a 30-day period at least through 2010. For the 2005 and 2006 windows (for service beginning in 2006 and 2007 respectively), PGE will propose transition amounts that do not include long-term resources (5 years or longer) identified in its 2004 IRP Action Plan. Beginning with the 2007 window, transition amounts

proposed will include long-term resources identified in its 2004 IRP Action Plan. ICNU agrees not to oppose and will consider supporting future proposals, if any, of PGE during the offering of Schedule 483 that would allow PGE to provide 3 to 5 year market-based pricing options to Schedule 483-eligible customers in a manner similar to its current one and three month market-based options under Schedule 83.

(b) PGE in consultation with customers eligible for direct access and electricity service suppliers shall develop the following proposals, which shall be included in its next general rate case filing:

- (i) For customers with aggregate load larger than 1 aMW (each point of delivery of at least 250 kW) an opportunity to elect direct access for the remainder of the year with a two business day decision window (concluding at 5:00 pm of the next business day after posting) at least once each month. PGE may, at its option, propose an alternative that provides more frequent opportunities to elect direct access under which an eligible customer may request the calculation of a transition amount at any time.
- (ii) For customers with aggregate load larger than 10 aMW (each point of delivery of at least 250 kW) the option to purchase flat blocks of energy from energy service suppliers not to exceed 50% of their load while purchasing the balance of the load and load shaping and other necessary services from PGE. In order to qualify for this option, the customer would have to exhibit an aggregated average monthly load factor of at least 60% over the most recent 12-month period.

(c) ICNU agrees that the above conditions eliminate the need for a new resource opt-out as discussed in Commission Order No. 05-133 for PGE's 2004 IRP Action Plan and will support a PGE filing that requests a waiver of that requirement. ICNU may take any position it wishes on opt-out options applicable to new resources not identified in the 2004 IRP Action Plan.

(d) The Settlement Parties other than PGE and ICNU may take any position they deem appropriate regarding the filings made under this Condition.

16. Enron agrees to provide PGE the tax indemnification and employee benefits indemnification as described in Article III of the Separation Agreement (Application Exhibit 17), except that, as provided in footnotes 1 and 2 to that Article, the indemnifications may be modified or deleted if settlements are reached in the respective matters prior to the issuance of the New PGE Common Stock.

17. If the Commission believes that PGE and/or the Reserve have violated any of the Conditions set forth herein, or any conditions imposed by the Commission in its final order approving the Application (for purposes of this condition 17, collectively the "Conditions"), then the Commission shall give PGE and the Reserve written notice of the violation.

(a) If the violation is for failure to file any notice or report required by the Conditions, and if PGE and/or the Reserve provide the notice or report to the Commission within ten business days of the receipt of the written notice of violation, then the Commission shall take no action. PGE or the Reserve may request, for cause, permission for extension of the ten-day period. For any other violation of the Conditions, if such violation is corrected within five business days of the written notice of violation, then the Commission shall take no action. PGE or the Reserve may request, for cause, permission for extension of the five-day period.

(b) If PGE and/or the Reserve fail to file a notice or written report within the time permitted in subparagraph (a) above, or if PGE and/or the Reserve fail to cure, within the time permitted above, a violation that does not relate to the filing of a notice or report, then the Commission may open an investigation, with an opportunity for PGE and/or the Reserve to request a hearing, to determine the number and seriousness of the violations. If the Commission determines after the investigation and hearing (if requested) that PGE and/or the Reserve violated one or more of the Conditions, then the Commission shall issue an order stating the penalty. PGE and/or the Reserve, as appropriate, may appeal such an order to the appropriate court. If no party appeals the order stating the penalty within the time allowed, or if the Commission's order is upheld on appeal, and the order imposes penalties under a statute that requires the Commission to file a complaint in court, then the Commission may file a complaint in the appropriate court seeking the penalty specified in the order, and PGE and/or the Reserve shall file a responsive pleading agreeing to such penalty. The Commission shall seek to impose a penalty on only one of PGE or the Reserve for the same violation.

(c) The Commission shall not be bound by subsection (a) in the event the Commission determines PGE and/or the Reserve has violated any of the material Conditions, contained herein, more than two times within a rolling 24-month period.

(d) PGE and/or the Reserve shall have the opportunity to demonstrate to the Commission that subsection (c) should not apply on a case-by-case basis.

General Terms and Conditions

1. The Settlement Parties agree that this Stipulation and its terms and Conditions are in the public interest.

2. The Applicants shall file this Stipulation with the Commission. The Settlement Parties agree to support this Stipulation before the Commission and before any court in which this Stipulation may be considered. If the Commission rejects all or any material part of this Stipulation or adds any material condition to any final order which is not contemplated by this Stipulation, each of the Settlement Parties reserves the right to withdraw from this Stipulation upon written notice to the Commission and the other Settlement Parties within five (5) business days of service of the final order rejecting this Stipulation, or adding such material condition.

3. This Stipulation may be signed in any number of counterparts, each of which will be an original for all purposes, but all of which taken together will constitute one and the same agreement.

4. The Parties to any dispute concerning this Stipulation agree to confer and make a good-faith effort to resolve such dispute prior to bringing an action or complaint to the Commission or any court with respect to such dispute.

5. The Settlement Parties agree that this Stipulation represents a compromise in their positions. As such, conduct, statements, and documents disclosed in the negotiation of this Stipulation shall not be admissible as evidence in this or any other proceeding. The Settlement Parties agree that a Commission order adopting this Stipulation will not be cited as precedent in other proceedings for the matters resolved in this Stipulation.

6. This Stipulation will be offered into the record in this proceeding as evidence pursuant to OAR § 860-14-0085. The Settlement Parties agree to cooperate in drafting and submitting the explanatory brief or written testimony required by OAR § 860-14-0085(4).

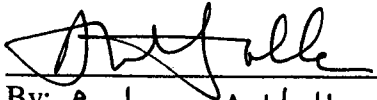
7. By entering into this Stipulation, no Settlement Party shall be deemed to have approved, admitted or consented to the facts, principles, methods or theories employed by any

other party in arriving at the terms of this Stipulation. Except as provided in this Stipulation, no Settlement Party shall be deemed to have agreed that any provision of this Stipulation is appropriate for resolving issues in any other proceeding.

EFFECTIVE THE 31st DAY OF AUGUST, 2005.

[SIGNATURE PAGE FOLLOWS]

Portland General Electric Company


By: Barbara W. Halle

Stephen Forbes Cooper, LLC, as Disbursing Agent, on behalf of the Reserve for Disputed Claims

By:

Enron Corp.

By:

The Citizens' Utility Board of Oregon

By:

Staff of the Public Utility Commission of Oregon

By:

Industrial Customers of Northwest Utilities

By:

Community Action Directors of Oregon and Oregon Energy Coordinators Association

By:

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Portland General Electric Company

By: _____

Enron Corp.

By: _____

Staff of the Public Utility Commission of Oregon

By: _____

Industrial Customers of Northwest Utilities

By: _____

Stephen Forbes Cooper, LLC, as Disbursing Agent, on behalf of the Reserve for Disputed Claims

By: _____

The Citizens' Utility Board of Oregon

By: _____

Community Action Directors of Oregon and Oregon Energy Coordinators Association

By: _____

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Portland General Electric Company

Stephen Forbes Cooper, LLC, as Disbursing Agent, on behalf of the Reserve for Disputed Claims

By: _____

By: _____

Enron Corp.

The Citizens' Utility Board of Oregon

Mitchell S. Taylor
By: *Mitchell S. Taylor* *kw*
Managing Director

By: _____

Staff of the Public Utility Commission of Oregon

By: _____

Industrial Customers of Northwest Utilities

Community Action Directors of Oregon and Oregon Energy Coordinators Association

By: _____

By: _____

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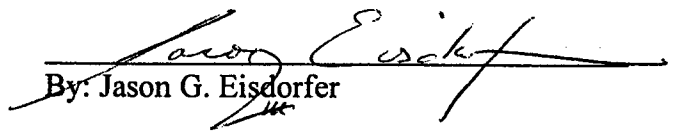
By: _____

By: _____

Enron Corp.

Citizens' Utility Board

By: _____

By:  Jason G. Eisdorfer

Staff of the Oregon Public Utilities Commission

By: _____

Industrial Customers of Northwest Utilities

Community Action Directors of Oregon and Oregon Energy Coordinators Association

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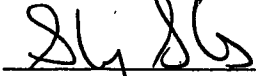
Enron Corp.

The Citizens' Utility Board of Oregon

By: _____

By: _____

Staff of the Public Utility Commission of Oregon



By: Stephanie S. Andrews

Industrial Customers of Northwest Utilities

Community Action Directors of Oregon and Oregon Energy Coordinators Association

By: _____

By: _____

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By:

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The Citizens' Utility Board of Oregon

By:

By:

Staff of the Public Utility Commission of Oregon

By:

Industrial Customers of Northwest Utilities

Community Action Directors of Oregon and Oregon Energy Coordinators Association


By: _____

By:

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Portland General Electric Company

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By: _____

By: _____

Enron Corp.

The Citizens' Utility Board of Oregon

By: _____

By: _____

Staff of the Public Utility Commission of Oregon

By: _____

Industrial Customers of Northwest Utilities

Community Action Directors of Oregon and Oregon Energy Coordinators Association

By: _____

By:  _____

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MOTION FOR WAIVER OF OAR 860-014-0085(4) REQUIREMENT OF FILING SUPPORTING TESTIMONY WITH A FILED STIPULATION AND MOTION PURSUANT TO OAR 860-014-0085(5) TO REDUCE THE NUMBER OF DAYS WITHIN WHICH OBJECTIONS TO THE STIPULATION MAY BE FILED

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In order to facilitate a timely review of the Stipulation by other parties and to preserve the schedule in this docket without prejudicing any other party, Movants request orders from the Administrative Law Judge as follows:

(1) An order waiving the requirement under OAR 860-014-0085(4) that supporting testimony be filed with the filing of the Stipulation; and

(2) An order reducing the 20-day time period for filing objections to the Stipulation set forth in OAR 860-014-0085(5) to require any objections to be filed by September 16, 2005.

Movants will file testimony supporting the Stipulation by the close of business September 7, 2005.

The Administrative Law Judge has granted the City of Portland an extension of time to file its responsive testimony in these proceedings until September 16, 2005. In order to facilitate the granting of these Motions, Movants are willing for the ALJ to extend the time for any other party to file responsive testimony until September 16, 2005. This time period will also give other parties who are not Settlement Parties adequate time to review the Stipulation and file objections to the Stipulation by September 16, 2005. This will allow the parties to maintain the schedule currently set for these proceedings.

Respectfully submitted this ____ day of September, 2005.

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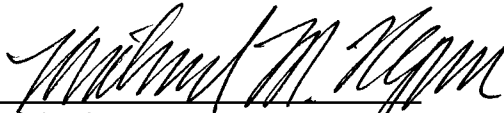
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CERTIFICATE OF SERVICE

I hereby certify that on this day I served the **STIPULATION** as well as **MOTION FOR WAIVER OF REQUIREMENT TO FILE SUPPORTING TESTIMONY WITH STIPULATION AND MOTION TO REDUCE THE NUMBER OF DAYS IN WHICH TO FILE OBJECTIONS** by electronic mail where available to each party listed below, and by mailing a copy thereof in a sealed envelope, first-class postage prepaid, addressed to each party listed below, deposited in the U.S. Mail at Portland, Oregon.

DATED: September 1, 2005.


Michael M. Morgan

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