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**BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON**

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In the Matter of

PORTLAND GENERAL ELECTRIC  
COMPANY,

Request for a General Rate Revision

Docket No. UE 394

**CROSS EXAMINATION STATEMENT  
OF WALMART INC.**

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Pursuant to the Ruling issued January 6, 2022, Walmart Inc. (“Walmart”) hereby submits its Cross-Examination Statement. Walmart currently has no plans to cross examine witnesses at the currently scheduled hearing and does not have any cross-examination exhibits to file at this time. However, Walmart reserves the right to question witnesses as necessary to follow up questioning by other parties, the ALJ, or the Commissioners.

DATED this 7th day of February 2022.

/s/ Vicki M. Baldwin

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In the Matter of

PORTLAND GENERAL ELECTRIC  
COMPANY,

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Docket No. UE-394

**PREHEARING BRIEF OF WALMART  
INC.**

**I. Introduction**

Pursuant to the Administrative Law Judge’s (“ALJ”) ruling issued January 6, 2022, Walmart Inc. (“Walmart”) submits this prehearing brief in the above-captioned docket. On June 22, 2021, Portland General Electric Company (“PGE” or the “Company”) filed a request for a general rate revision, effective May 1, 2022.<sup>1</sup> This prehearing brief provides the legal standard applicable to this proceeding and Walmart’s support for the Fourth Partial Stipulation filed by PGE in this case.

**II. Legal Standard**

PGE’s rate revision request is subject to ORS 757.210, which requires that the Commission only approve a rate increase if it is found to be fair, just and reasonable.<sup>2</sup> PGE carries the burden to demonstrate that its proposed request is fair, just and reasonable.<sup>3</sup> The Commission also has an independent obligation to ensure that a utility’s rates are fair and

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<sup>1</sup> UE394 – *In the Matter of Portland General Electric Company Request for a General Rate Revision*, PGE’s Executive Summary, 12 (July 9, 2021).

<sup>2</sup> ORS 757.210(1)(a).

<sup>3</sup> *Id.*

reasonable.<sup>4</sup>

### III. Stipulations

PGE previously filed a First Partial Stipulation in this docket resolving all issues related to Cost of Capital in this general rate case. PGE then filed a Second Partial Stipulation on November 5, 2021, and a Third Partial Stipulation on January 18, 2022, after reaching agreements with the parties on certain matters through the course of multiple settlement conferences.

The parties engaged in a fourth round of settlement discussions on February 1, 2022. As a result of the discussions, the parties reached a compromise settlement resolving several additional issues in this docket, including issues related to (a) fee free bank card, (b) Trojan Nuclear Decommissioning Trust, (c) rate spread and customer impact offset, (d) Schedule 7 residential basic charge, (e) Schedule 7 residential line extension allowance, (f) temporary service, (g) generation demand charges for Schedules 83 and 85, (h) habitat restoration, A-26, (i) non-bypassability and (j) Schedule 138 energy storage cost recovery. The following items were not resolved in the Fourth Partial Stipulation and will continue to be litigated in this proceeding:

- a. Level III Outage Mechanism
- b. Faraday Repowering Cost Recovery Treatment
- c. Wildfire Mitigation and Vegetation Management Mechanism
- d. Major Deferrals
- e. Non-bypassability of Schedule 150
- f. Schedule 90 sub-transmission rate

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<sup>4</sup> ORS 756.020(1).

#### **IV. Walmart's Recommendation**

Walmart's Opening Testimony in this case focused on rate spread, allocation of the Customer Impact Offset ("CIO") and establishment of certain rate design issues. All of these issues have been resolved by the Fourth Partial Stipulation.

Walmart was an active participant in settlement discussions and Walmart's recommendation is that the Commission should approve the Fourth Partial Settlement as filed. The Settlement is the just and reasonable outcome of extensive arms-length negotiations conducted in good faith between the parties in this docket. Additionally, the settlement process greatly aids in administrative efficiency, which can reduce costs to all parties and ratepayers.

#### **V. Conclusion**

Walmart recommends the Commission approve the Fourth Partial Stipulation filed by the Company in this docket.

RESPECTFULLY SUBMITTED this 7th day of February 2022.

/s/ Vicki M. Baldwin

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