

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

NC 405

PUBLIC UTILITY COMMISSION OF
OREGON,

Complainant,

vs.

CITY OF PORTLAND ACTING
THROUGH BUREAU OF
ENVIRONMENTAL SERVICES,

Defendant.

RULING

**DISPOSITION: MOTION TO WAIVE THE EVIDENTIARY HEARING GRANTED;
BENCH REQUESTS TO BE ISSUED.**

On September 6, 2023, I issued a memorandum in this docket directing the parties to propose a date for a hearing, as well as a new briefing schedule and a date for oral argument. On the same day, Staff for the Public Utility Commission of Oregon filed a motion to waive the hearing, stating that Staff and the City of Portland had conferred and determined that cross-examination of the witnesses was not necessary to complete that record and that neither intended to call witnesses. On September 8, 2023, the Association of Clean Water Agencies and the League of Oregon Cities filed a response stating that neither party objected to Staff's motion to waive the hearing.

Because no party to these proceedings intends to call or cross-examine witnesses, I grant the motion to waive the evidentiary hearing. Instead of holding a hearing, the Commission intends to issue bench requests seeking clarification and supplementation of the factual information offered in the prefiled testimony. I anticipate issuing these bench requests later this month or in early October, at which time I will establish the deadlines for responding to the bench requests and for replying to those responses. The remainder of the schedule, including briefs and oral argument, will be addressed following the bench requests.

Dated this 15th day of September, 2023, at Salem, Oregon.



Sarah Spruce
Administrative Law Judge