

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 390

In the Matter of
PACIFICORP, dba PACIFIC POWER,
2022 Transition Adjustment Mechanism.

MEMORANDUM REGARDING
REMOTE HEARING PROCEDURES

General Information about This Virtual Hearing:

We will conduct the evidentiary hearing via Zoom. The Zoom meeting will be open by 9:00 a.m. prior to the hearing to provide participants with the opportunity to make sure their cameras and microphones are working. Beginning at 9:30 am, the hearing will be recorded and a transcriptionist will prepare a transcript following the hearing. The hearing does not have a set end time because hearing length depends on the parties' questions. Based on parties' cross-examination statements, I estimate the hearing will end in the mid-afternoon. Please note that Commissioners may not be present after 1:00 pm.

When a witness is testifying, the witness, the counsel for the witness, and the cross-examining counsel should plan to be visible via video. Parties will be expected to mute their audio when not speaking. I request that all parties be prepared to operate and troubleshoot Zoom on their own and understand how to enable and disable the audio and video functions.

Levels of Participation:

There will be three levels of Zoom participation for this hearing. Candice Menza will be the host of the Zoom webinar with Sarah Rowe, ALJ, as the co-host.

All hearing participants will be panelists able to share video, audio and screen during the hearing. Below is AHD's current list of hearing participants that includes testifying witnesses, their counsel, and the cross-examining counsel. Parties should send Candice any corrections or additions to the participant list as soon as possible. In advance of the hearing, Candice will send out a unique link to each hearing participant considered a panelist for the Zoom webinar. Please note that links cannot be shared and using another person's link will result in the first user being automatically signed out of the Zoom system when a subsequent user enters.

Attendees can join the webinar in listen and view-only mode by using a link from the August 17, 2021 notice ([Attendee Link](#)). Witnesses that submitted pre-filed testimony but who are not listed below have the option to view the hearing using the attendee link and are excused from participating in the hearing.

Preliminary Witness Schedule

Party, Witness, Counsel for Witness	Party and Examining Counsel	Topic	Time Estimate
PacifiCorp Douglas Staples douglas.staples@pacifcorp.com	Sierra Club Rose Monahan rose.monahan@sierraclub.org	Purpose of TAM GRID modeling	35 minutes
	Alliance of Western Energy Consumers Brent Coleman blc@dvclaw.com 971-710-1157	Market Caps Other Revenue Pro Forma Adjustment	45 minutes
10 minute morning break sometime between 10:30 and 11:00 am			
PacifiCorp Daniel MacNeil daniel.macneil@pacifcorp.com	Sierra Club Rose Monahan rose.monahan@sierraclub.org	Hunter CSA and coal contracting practices	10 minutes
PacifiCorp Dana Ralston dana.ralston@pacifcorp.com	Sierra Club Thien Chau Thien.chau@sierraclub.org	Jim Bridger and Bridger mine costs; CSAs and coal contracting practices	40 minutes
PacifiCorp Robert Meredith robert.meredith@pacifcorp.com	Calpine Solutions Gregory Adams greg@richardsonadams.com	Consumer opt out charge	30 minutes
	Small Business Utility Advocates Diane Henkels diane@utilityadvocates.org	2020 Protocol section 3.1.9 regarding changes in economic conditions Load forecast	14 minutes
45 minute lunch break sometime between 11:30 and 1:00 pm			
AWEC Bradley Mullins	PacifiCorp Katherine McDowell	Market Caps	45 minutes

brmullins@mwanalytics.com	katherine@mrg-law.com	Other NPC Adjustments	
Staff Curtis Dlouhy curtis.dlouhy@puc.oregon.gov <i>noting counsel here because not listed in another box:</i> sommer.moser@doj.state.or.us	PacifiCorp Katherine McDowell	Market Caps	45 minutes
Staff Rose Anderson rose.anderson@puc.oregon.gov	PacifiCorp Adam Lowney adam@mrg-law.com	Coal Supply Agreements	45 minutes

Process Outline

- ALJ Introduction
- Appearances for the record – Any counsel present should turn on their camera as they introduce themselves. We will proceed in alphabetical order (AWEC, Calpine Solutions, CUB, PacifiCorp, Sierra Club, SBUA, Staff)
- I will state the first witness and counsel conducting cross-examination and swear the witness in. I ask that only the witness, their counsel, and any cross-examining counsel have their video cameras turned on.
 - The witness’ counsel may conduct direct examination to identify the witness, the prefiled testimony and exhibits, and any corrections. Counsel may move to admit.
 - 1st examining counsel conducts questioning
 - 2nd examining counsel conducts questioning (if applicable)
 - Clarifying questions from the ALJ or Commissioners (if any). If I ask questions, I will ask parties if I raised any issues that the parties need to ask follow-up question on.
 - For any counsel who did not identify cross for a witness but may have follow up, I ask that you turn your camera on and click on the raise your hand icon if and when you determine you have follow up. That will help notify me to call on you in turn.
 - Defending counsel conducts redirect limited to the scope of the cross-examination.

- Once redirect is complete, I will ask the parties if there is any re-cross and whether there will be further questions for that witness during the confidential session. If none, I will excuse the witness.
- Repeat for all of the witnesses listed above.

Confidential Session

For the confidential session, we will switch to a separate Zoom meeting with individual links for each participant. There will not be a general attendee link for this session. AHD will default by sending individual invites to the below listed individuals. If an individual is not listed and has signed the protective orders and would like an invite, please contact Candice at candice.menza@puc.oregon.gov.

Witnesses that have been excused after the public questioning will be removed from the below list. We will proceed through confidential questions with the remaining witnesses.

Potential Party, Witness, and Counsel for Confidential Session	Potential Cross-Examining Party and Counsel for Confidential Session
<u>PacifiCorp</u> Douglas Staples with Katherine McDowell and Adam Lowney as counsel	Sierra Club (Rose Monahan and Thien Chau) AWEC (Brent Coleman)
Daniel MacNeil with Katherine McDowell and Adam Lowney as counsel	Sierra Club (Rose Monahan and Thien Chau)
Dana Ralston with Katherine McDowell and Adam Lowney as counsel	Sierra Club (Rose Monahan and Thien Chau)
Robert Meredith with Katherine McDowell and Adam Lowney as counsel	Calpine Solutions (Gregory Adams) and SBUA (Diane Henkels)
<u>AWEC</u> Bradley Mullins with Brent Coleman as counsel	PacifiCorp (Katherine McDowell and Adam Lowney)
<u>Staff</u> Curtis Dlouhy with Sommer Moser as counsel	PacifiCorp (Katherine McDowell and Adam Lowney)
Rose Anderson with Sommer Moser as counsel	PacifiCorp (Katherine McDowell and Adam Lowney)

Record

Witnesses testifying (*i.e.*, Douglas Staples) during the hearing can have their counsel move to admit their prefiled testimony and exhibits during direct examination. For witnesses that are not testifying during the hearing (*i.e.*, Kevin Higgins), counsel will have the option at the end of hearing to move to admit their prefiled testimony and exhibits, subject to filing a supporting declaration within a week. Counsel also has the option to skip the oral motion to admit and instead file a paper motion within a week of hearing. At the end of the hearing, we will also review the cross-examination exhibits with an option for oral motions to admit those into the record.

Parties are asked to check the below list. Shaded boxes indicate the testimony and exhibits the Commissioners and ALJ will have on hand for hearing. Please submit any corrections to hearing materials as soon as possible. Corrections to numbers or descriptions for purposes of oral motions to admit may be made at the end of hearing. The descriptions in this list are abbreviated, when I issue a ruling closing the record in this proceeding I will use the full descriptions that parties have submitted.

PARTY/EXHIBIT NO.	DESCRIPTION	May be admitted during direct examination	May be admitted at the end of hearing subject to filed declaration, or later with a written motion
AWEC/100-105	Opening Testimony and Exhibits of Bradley G. Mullins	X	
AWEC/200-205	Rebuttal and Cross-Answering Testimony of Bradley G. Mullins	X	
AWEC/300-303	Cross-Examination Exhibits		X
CALPINE/100-102	Opening Testimony and Exhibits of Kevin C. Higgins		X
CALPINE/200-202	Rebuttal Testimony of Kevin C. Higgins		X
CALPINE/300-305	Cross-Examination Exhibits		X
CUB/100-105	Opening Testimony of Bob Jenks (Errata 6/24/2021)		X

CUB/200	Rebuttal and Cross-Answering Testimony of Bob Jenks		X
CUB/300-302	Cross-Examination Exhibits		X
SIERRA CLUB/100-106, 112-127	Opening Testimony and Exhibits of Ed Burgess		X
SIERRA CLUB/200-203	Rebuttal Testimony and Exhibits of Ed Burgess		X
SIERRA CLUB/300-306	Cross-Examination Exhibits		X
SBUA/100-101	Opening Testimony and Exhibit of Darren Wertz		X
SBUA/200-202	Rebuttal Testimony and Exhibits of Darren Wertz		X
SBUA/300-303	Cross-Examination Exhibits		X
PAC/100-107	Direct Testimony and Exhibits of David Webb (Adopted by Douglas Staples)	X	
PAC/400-403	Reply Testimony and Exhibits of Douglas Staples	X	
PAC/1000	Surrebuttal Testimony of Douglas Staples (Errata 8/19/2021)	X	
PAC/200	Direct Testimony of Dana Ralston	X	
PAC/600-602	Reply Testimony and Exhibits of Dana Ralston	X	
PAC/1200	Surrebuttal Testimony of Dana Ralston	X	
PAC/300-303	Direct Testimony of Judith Ridenour (Adopted by Robert Meredith)	X	
PAC/900	Reply Testimony of Robert Meredith	X	
PAC/1500	Surrebuttal Testimony of Robert Meredith	X	
PAC/500-502	Reply Testimony of Seth Schwartz		X

PAC/1300	Surrebuttal Testimony of Seth Schwartz		X
PAC/700	Reply Testimony of Daniel MacNeil	X	
PAC/800	Reply Testimony of Mary Wiencke		X
PAC/1400	Surrebuttal Testimony of Mary Wiencke		X
PAC/1100-1101	Surrebuttal Testimony and Exhibit of Michael Wilding		X
PAC/1600-1612	Cross Examination Exhibits		X
STAFF/100-104	Opening Testimony and Exhibits of Moya Enright		X
STAFF/200-203	Opening Testimony and Exhibits of Heather Cohen		X
STAFF/300-303	Opening Testimony and Exhibits of Nadine Hanhan		X
STAFF/400-403	Opening Testimony and Exhibits of Brian Fjeldheim		X
STAFF/500-503	Opening Testimony and Exhibits of Kathy Zarate		X
STAFF/600-602	Opening Testimony and Exhibits of John Fox		X
STAFF/700-703	Opening Testimony and Exhibits of Rose Anderson	X	
STAFF/800-804	Opening Testimony and Exhibits of Curtis Dlouhy	X	
STAFF/900-901	Opening Testimony and Exhibits of Scott Gibbens		X
STAFF/1000	Rebuttal and Cross-Answering Testimony of Moya Enright		X
STAFF/1100	Rebuttal and Cross-Answering Testimony of Kathy Zarate		X
STAFF/1200-1201	Rebuttal and Cross-Answering Testimony and Exhibit of Curtis Dlouhy	X	

STAFF/1300	Rebuttal and Cross-Answering Testimony of Scott Gibbens		X
STAFF/1400-1401	Rebuttal and Cross-Answering Testimony and Exhibit of Rose Anderson	X	
STAFF/1500	Rebuttal and Cross-Answering Testimony of John Fox		X
STAFF/1600-1601	Rebuttal and Cross-Answering Testimony and Exhibit of Nadine Hanhan		X
STAFF/1700	Cross-Examination Exhibit		X

To the extent parties have any questions or anticipated procedural matters in response to this memo, please submit the question to the ALJ via the filing center as soon as possible.

Dated this 24th day of August, 2021, at Salem, Oregon.

Sarah Rowe
Administrative Law Judge