

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2119
UE 394

In the Matter of

ALLIANCE OF WESTERN ENERGY
CONSUMERS and OREGON
CITIZENS' UTILITY BOARD,

Application for an Accounting Order
Requiring Portland General Electric
Company to Defer Expenses and Capital
Costs associated with the Boardman
Power Plant.

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,

Request for a General Rate Revision.

RULING

DISPOSITION: MOTION TO CONSOLIDATE DENIED

I. INTRODUCTION

On October 7, 2021, the Alliance of Western Energy Consumers (AWEC) and the Oregon Citizens' Utility Board (CUB) filed a motion requesting that the Public Utility Commission of Oregon consolidate their application for an accounting order requiring Portland General Electric Company to defer expenses and capital costs associated with the Boardman Power Plant (deferral request) with PGE's 2021 general rate case (GRC). AWEC and CUB state that they filed the deferral request on October 8, 2020, and intend to reauthorize the request.¹ AWEC and CUB indicate they have discussed their motion with Staff and PGE, and Staff does not oppose the motion.

AWEC and CUB assert that consolidation of these dockets is efficient, logical, and will further the public interest. AWEC and CUB explain that in docket UM 2119, they have requested an order requiring PGE to defer the expenses and capital costs associated with

¹ On October 4, 2021, AWEC and CUB filed an application for reauthorization of their deferral request.

Boardman currently included in PGE's base rates to capture the reduction in rate base and O&M expenses resulting from the closure of Boardman for customers. AWEC and CUB also argue that issues related to the Boardman closure are included in the GRC, and given the interconnectedness of the two proceedings, consolidation is logical and will promote efficiency.

On October 15, 2021, PGE filed its response in opposition to consolidating the dockets. PGE asserts that the Commission has previously consolidated dockets where doing so would improve judicial efficiency, provide clarity, or otherwise simplify the resolution of both dockets. PGE contends that this typically occurs when there is significant overlap between the issues in the two dockets and argues that is not the case here. PGE argues that here, the two dockets are in different stages, with differing scopes, and the parties in the two dockets are not identical. Additionally, PGE maintains that because docket UM 2119 relates to PGE's capital costs and expenses between Boardman's closure to the effective date of rates in docket UE 394, there is effectively no issue overlap between the two dockets. Lastly, PGE asserts that the burden of proof is assigned to different parties in the two dockets, and thus consolidation would complicate, not simplify, the matters at hand.

On October 21, 2021, AWEC and CUB filed a motion for leave to reply to PGE's response along with their reply. AWEC and CUB dispute the relevance of the relative stages, parties, and scopes of the two dockets to whether consolidation is appropriate. AWEC and CUB assert that both dockets relate directly to the level of just and reasonable rates PGE should be allowed to charge its customers and that the Commission consolidates dockets when doing so would improve efficiency, provide clarity, or otherwise simplify the resolution of both dockets. AWEC and CUB note that while they have the burden of proof in docket UM 2119, they are willing to incorporate docket UM 2119 into the current schedule in docket UE 394, giving PGE the last word. In the alternative, AWEC and CUB note the possibility of establishing a parallel and separate testimony track in the rate case for the Boardman deferral request.

II. RULING

PGE filed its 2021 GRC on July 9, 2021. The procedural schedule was established on August 3, 2021. Under the existing schedule for docket UE 394, intervenor opening testimony is due October 25, 2021. To consolidate these proceedings at this time would require amending the schedule to add a separate track for testimony from the parties to address the Boardman deferral request. While noting the possibility of a separate track of testimony to address this issue in the GRC, AWEC and CUB's reply did not address the specific changes to the schedule that would be required to accommodate their request within the statutory suspension period. At this point in the proceeding, the changes

necessitated by consolidation would constrain the remainder of the schedule due to the amount of time left in the GRC's suspension period. Additionally, formal consolidation at this time could serve to further complicate the already broad scope of the GRC. Accordingly, I decline to consolidate dockets UE 394 and UM 2119.

While I decline to consolidate these two dockets, I recognize that deferrals and their associated amortizations are often addressed within the context of a GRC. Even absent consolidation, the parties remain free to address any number of pending deferrals or amortizations within a comprehensive settlement process in this proceeding.

Dated this 25th day of October, 2021 at Salem, Oregon.



Alison Lackey
Administrative Law Judge