

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

MADRAS PV1, LLC,
Complainant,

vs.

PORTLAND GENERAL ELECTRIC
COMPANY,
Defendant,

Pursuant to ORS 756.500.

RULING

**DISPOSITION: MOTION TO STAY GRANTED IN PART AND DENIED IN PART;
PROCEDURAL SCHEDULE AMENDED**

On November 19, 2019, I issued a memorandum in this docket following a prehearing conference, requesting that Madras PV1, LLC, file a written response to Portland General Electric's motion to stay its January 10, 2020 deadline for the submission of testimony. On November 20, 2019, Madras PV1 filed its response, arguing that PGE's motion to stay should not be granted, that PGE could have requested a narrowing of the scope of issues in this case months ago and did not, and that PGE's motion will unnecessarily delay the proceeding. The response also makes several substantive arguments on the motion to strike and the relevancy of the testimony PGE seeks to strike.

After review of the filings of both parties, I grant in part and deny in part PGE's motion for a stay to its January 10, 2020 testimony deadline. I amend the procedural schedule to accommodate expedited consideration of PGE's motion to strike. I find good cause to expedite consideration of the motion to strike because both parties are clearly prepared to provide argument on the motion to strike, as evidenced by PGE's clear communication that it wants expedited treatment of the motion to strike, and Madras PV1's extensive discussion of the substance of the motion to strike in its reply to PGE's motion to stay.

I find good cause to amend the procedural schedule to accommodate time to consider the motion to strike. This motion has the potential to result in a ruling narrowing, clarifying, or expanding the scope of the issues in this case. It is in the interest of all parties that the testimony and argument developed is responsive to the ultimate issues to be decided in the case; amending the procedural schedule to allow for more time for consideration of the motion to strike supports this objective. In order to support the objectives of both parties for an expedited resolution of the request to rule on the motion to strike, and to support timely resolution of this case to provide certainty to parties, I commit to issue a

ruling on the motion to strike three business days after receiving the final pleading on that motion.

Accordingly, I adopt the following revised procedural schedule:

EVENT	DATE
Madras PV1 Response to PGE's Motion to Strike	November 27, 2019
PGE's reply to response	December 4, 2019
Ruling issued on Motion to Strike	December 9, 2019 (December 4, 2019 if PGE declines to file a reply)
PGE Rebuttal Testimony	January 22, 2020
Madras PV1 Surrebuttal Testimony	March 13, 2020
Prehearing Briefs	April 10, 2020
Cross-Examination Statements	April 17, 2020
Hearing	April 23, 2020
Madras PV1 Opening Brief	May 19, 2020
PGE Response Brief	June 16, 2020
Madras PV1 Reply Brief	July 2, 2020

In my memo of November 19, I indicated that I would consider responses from parties on the schedule for review of the motion to strike. Though I adopt the above procedural schedule in an effort to expeditiously resolve the motion to stay proceedings, I remain open to and will work with parties to accommodate recommendations on the schedule to resolve the motion to strike. Accordingly, if parties continue to discuss the schedule in this case, and desire to request changes to the above schedule or alternatives to the schedule for addressing the motion to strike, I invite them to communicate via joint motion, or to request a prehearing conference.

My memorandum of November 19 also indicated that I would provide questions to assist the parties in their effort to addressing the issues in the motion to strike. The substantive questions I had were focused on Madras PV1's intent and need to resolve interconnection issues through a complaint to the Commission. Madras PV1's November 20 response to the motion to strike clarifies its intentions on this question. Specifically, Madras PV1 has indicated that it is likely but not certain that it will need to litigate an interconnection dispute with PGE.

Dated this 21st day of November, 2019, at Salem, Oregon.



Nolan Moser
Administrative Law Judge