

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 416

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,

Request for a General Rate Revision; and
2024 Annual Power Cost Update.

PREHEARING CONFERENCE
MEMORANDUM

On March 8, 2023, the Public Utility Commission of Oregon conducted a prehearing conference in this docket. Representatives appeared on behalf of Commission Staff, Alliance of Western Energy Consumers, Fred Meyer Stores and Quality Food Centers, Divisions of The Kroger Co. (Fred Meyer), Natural Resources Defense Council (NRDC) and the NW Energy Coalition (NWEC), Oregon Citizens' Utility Board, Portland General Electric Company, Small Business Utility Advocates, and Walmart Inc.

The parties proposed procedural schedules for the general rate revision request and annual power cost update, which are adopted as set forth below with minor modifications, including the addition of deadlines for cross-examination statements and exhibits, and motions to admit in the annual power cost update schedule.

In addition to these settlement updates included in the schedules, parties should plan to advise the Commission as soon as practicable when any settlement in principle is reached on any or all issues in order to determine whether any schedule changes are appropriate.

Any filings submitted in this proceeding are due by 3 p.m. in order to provide adequate processing time for the Filing Center. Filing submitted after 3 p.m. will be considered filed on the following business day.

<u>Annual Power Cost Update</u>	
<u>Event</u>	<u>Date</u>
April Update	March 31, 2023
Staff Workshop ¹	April 14, 2023
Staff and Intervenor Opening Testimony	May 24, 2023
Settlement Conference	June 14, 2023
Company Reply Testimony	June 21, 2023
Settlement Status Update	June 22, 2023

¹ Dates associated with Staff workshops/settlement conferences are included in the schedule for the parties' convenience. The parties do not need Commission approval to reschedule these dates.

MONET update	July 14, 2023
Staff and Intervenor Rebuttal Testimony	July 21, 2023
Company Surrebuttal Testimony	August 10, 2023
Cross-Examination Statements, Exhibits	August 14, 2023
Evidentiary Hearing (hybrid format)	August 17, 2023
Motions to Admit	August 22, 2023
Company Opening Brief	August 28, 2023
Staff and Intervenor Reply Briefs	September 11, 2023
Company Rebuttal Brief	September 21, 2023
MONET update	October 2, 2023
Commission Order (target)	October 30, 2023
November MONET Update	November 7, 2023
Final MONET Update	November 15, 2023

<u>General Rate Revision</u>	
<u>Event</u>	<u>Date</u>
Staff and Intervenor Workshop Questions to Company	April 3, 2023
Staff Workshop	April 10, 2023
Settlement Conference	April 21, 2023
Settlement Status Update	April 28, 2023
Public Comment Hearing (Zoom)	May 3, 2023, 6:00 p.m.
Staff and Intervenor Opening Testimony	June 13, 2023
Settlement Conference	June 28, 2023
Settlement Status Update	July 5, 2023
Company Reply Testimony ²	July 21, 2023
Settlement Conference	August 1, 2023
Staff and Intervenor Rebuttal Testimony	August 22, 2023 ³
Company Surrebuttal Testimony	September 11, 2023
Issues Lists and Position Statements (all parties)	September 15, 2023
Commission/ALJ Issues List	September 18, 2023
Cross-examination statements, exhibits	September 20, 2023
Evidentiary Hearing and Attorney Opening Statements (hybrid format)	September 26, 2023, reserving September 27-29 if needed
Motions to Admit	September 28, 2023
Opening Briefs (all parties)	October 9, 2023
Staff and Intervenor Closing Briefs	October 16, 2023
Company Closing Brief	October 24, 2023

² After the company files its reply testimony, the parties agree to a five business day turnaround for responses to data requests.

³ The parties included a settlement conference subsequent to the filing of Staff and Intervenor testimony, with a settlement status update to be filed seven calendar days later, with exact dates to be determined.

Oral Argument (if requested) (hybrid format)	October 31, 2023
Commission Order (target)	December 18, 2023
Rates Effective	January 1, 2024

Parties are reminded that attorneys not licensed in Oregon wanting to appear before the Commission in this docket must file an application for admission to appear pro hac vice.⁴

Dated this 13th day of March, 2023, at Salem, Oregon.



Alison Lackey
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures

⁴ See UTCR 3.170, OAR 860-001-0320.

NOTICE OF CONTESTED CASE RIGHTS AND PROCEDURES

Oregon law requires state agencies to provide parties written notice of contested case rights and procedures. Under ORS 183.413, you are entitled to be informed of the following:

Hearing: The time and place of any hearing held in these proceedings will be noticed separately. The Commission will hold the hearing under its general authority set forth in ORS 756.040 and use procedures set forth in ORS 756.518 through 756.610 and OAR Chapter 860, Division 001. Copies of these statutes and rules may be accessed via the Commission's website at <https://www.oregon.gov/puc/Pages/default.aspx>. The Commission will hear issues as identified by the parties.

Right to Attorney: As a party to these proceedings, you may be represented by counsel. Should you desire counsel but cannot afford one, legal aid may be able to assist you; parties are ordinarily represented by counsel. The Commission Staff, if participating as a party in the case, will be represented by the Department of Justice. Generally, once a hearing has begun, you will not be allowed to postpone the hearing to obtain counsel.

Notice to Active Duty Servicemembers: Active Duty Servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free telephone number.

Administrative Law Judge: The Commission has delegated the authority to preside over hearings to Administrative Law Judges (ALJs). The scope of an ALJ's authority is defined in OAR 860-001-0090. The ALJs make evidentiary and other procedural rulings, analyze the contested issues, and present legal and policy recommendations to the Commission.

Hearing Rights: You have the right to respond to all issues identified and present evidence and witnesses on those issues. *See* OAR 860-001-0450 through OAR 860-001-0490. You may obtain discovery from other parties through depositions, subpoenas, and data requests. *See* ORS 756.538 and 756.543; OAR 860-001-0500 through 860-001-0540.

Evidence: Evidence is generally admissible if it is of a type relied upon by reasonable persons in the conduct of their serious affairs. *See* OAR 860-001-0450. Objections to the admissibility of evidence must be made at the time the evidence is offered. Objections are generally made on grounds that the evidence is unreliable, irrelevant, repetitious, or because its probative value is outweighed by the danger of unfair prejudice, confusion of the issues, or undue delay. The order of presenting evidence is determined by the ALJ. The burden of presenting evidence to support an allegation rests with the person raising the allegation. Generally, once a hearing is completed, the ALJ will not allow the introduction of additional evidence without good cause.

Notice of Contested Case Rights and Procedures continued

Record: The hearing will be recorded, either by a court reporter or by audio digital recording, to preserve the testimony and other evidence presented. Parties may contact the court reporter about ordering a transcript or request, if available, a copy of the audio recording from the Commission for a fee set forth in OAR 860-001-0060. The hearing record will be made part of the evidentiary record that serves as the basis for the Commission's decision and, if necessary, the record on any judicial appeal.

Final Order and Appeal: After the hearing, the ALJ will prepare a draft order resolving all issues and present it to the Commission. The draft order is not open to party comment. The Commission will make the final decision in the case and may adopt, modify, or reject the ALJ's recommendation. If you disagree with the Commission's decision, you may request reconsideration of the final order within 60 days from the date of service of the order. *See* ORS 756.561 and OAR 860-001-0720. You may also file a petition for review with the Court of Appeals within 60 days from the date of service of the order. *See* ORS 756.610.