

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UE 177(4), UE 178(4), UG 170(4), & UG 171(4)

In the Matters of

PACIFICORP, dba PACIFIC POWER, (UE 177)

PORTLAND GENERAL ELECTRIC  
COMPANY, (UE 178)

NORTHWEST NATURAL GAS COMPANY,  
dba NW NATURAL, (UG 170)

and

AVISTA CORPORATION, dba AVISTA  
UTILITIES, (UG 171)

Annual Tax Filings under ORS 757.268.

PREHEARING CONFERENCE  
REPORT

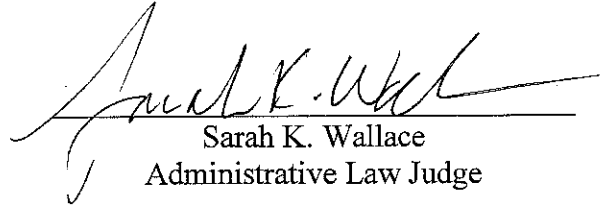
**DISPOSITION: PROCEDURAL SCHEDULES ADOPTED**

On November 1, 2010, the Public Utility Commission of Oregon (Commission) conducted a prehearing conference in these dockets. Appearing at the conference were representatives from Commission Staff; the Citizens' Utility Board of Oregon; the Industrial Customers of Northwest Utilities; the Northwest Industrial Gas Users; Portland General Electric Company (PGE); PacifiCorp, dba Pacific Power; Northwest Natural Gas Company, dba NW Natural; and Avista Corporation, dba Avista Utilities.

The primary purpose of the conference was to set procedural schedules for these dockets. The parties agreed to the schedules in the chart attached as Appendix A, which are adopted. The parties also agreed that, for the purposes of these proceedings, all due dates are "in-hand" dates, meaning that all parties must be served electronically on the due date. If a filing contains confidential information, then a redacted version of the filing must be served electronically on the due date, and an unredacted physical copy must be

served by overnight delivery or personal delivery to those party representatives on the service list that have signed the protective order.

Dated this 4th day of November, at Salem, Oregon.



Sarah K. Wallace  
Administrative Law Judge

**APPENDIX A  
PROCEDURAL SCHEDULES**

<b>EVENT</b>	<b>UE 177 Pacific Power</b>	<b>UE 178 PGE</b>	<b>UG 170 NW Natural</b>	<b>UG 171 Avista</b>
Notice of Intent to Request Intervenor Funding due		November 16, 2010		
Proposed Budget for Intervenor Funding due		December 1, 2010		
Staff & Intervenors circulate Issues Lists		December 17, 2010		
Staff & Intervenors file Opening Testimony*	January 11, 2011	January 13, 2011	January 13, 2011	January 11, 2011
Utilities file Rebuttal Testimony	February 3, 2011	February 4, 2011	February 4, 2011	February 3, 2011
Hearings	February 22, 2011	February 22, 2011	February 24, 2011	February 24, 2011
Commission Decisions (target date)	April 8, 2011 (no later than April 15, 2011)			
Tariff Implementation	June 1, 2011			

\* The parties have agreed to use their best efforts to respond to data requests within 5 business days from the date Staff and intervenor testimony is filed until the hearing date. If Staff is the respondent, then "business day" does not include mandatory furlough days imposed by the Department of Administrative Services.

## NOTICE OF CONTESTED CASE RIGHTS AND PROCEDURES

The 2007 Oregon Legislative Assembly amended the Administrative Procedures Act to require agencies to provide all parties written notice of contested case rights and procedures. Pursuant to ORS 183.413, you are entitled to be informed of the following:

**Hearing:** The time and place of any hearing held in this proceeding 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 to 756.610 and OAR Chapter 860, Divisions 11-14. The Commission will hear issues as identified by the parties.

**Right to Attorney:** As a party to this hearing, 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 in the case, will be represented by counsel. Once a hearing has begun, you will not generally be allowed to request a recess to obtain counsel.

**Administrative Law Judge:** The Commission has delegated the authority to preside over contested cases to its employee Administrative Law Judges (ALJs). The scope an ALJ's authority is defined in OAR 860-012-0035. The ALJ 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 860-014-0045 to OAR 860-014-0060. You may obtain discovery from other parties through depositions, subpoenas, and data requests. *See* ORS 756.538 and 756.543; OAR 860-014-0065 to 860-014-0070.

**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 860-014-0045(1)(b). 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 type of proceeding. *See* OAR 860-014-0035. The burden of presenting evidence to support an allegation or position rests with the proponent of the allegation or position. Once a hearing is completed, the ALJ will not generally allow the introduction of additional evidence without good cause.

**Record:** The hearing will be recorded, either by a court reporter or by audio/digital tape, to preserve the testimony and other evidence presented. Parties may contact the court reporter about ordering a transcript or request the Commission for a copy of the tape for a fee set forth in OAR 860-011-0090(2)(e)(C). 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 ALJ's 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. *See* ORS 756.561 and OAR 860-014-0095. You may also file a petition for review with the Court of Appeals within 60 days. *See* ORS 756.610.