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BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 1121

In the Matter of)	
)	
OREGON ELECTRIC UTILITY)	ORDER
COMPANY, LLC, <i>et al.</i>)	
)	
Application for Authorization to Acquire)	
Portland General Electric Company.)	

DISPOSITION: CASE CERTIFICATION APPLICATION GRANTED

On April 29, 2004, Associated Oregon Industries (AOI) filed an Application for Case Certification pursuant to OAR 860-012-0100(4).¹ To be case certified, an organization must meet certain criteria. These criteria are set forth below, along with AOI's position on each.

1. The organization must represent the interests of a broad group or class of customers, and its participation in the proceeding will be primarily directed at public utility rates and terms and conditions of service affecting that broad group or class of customers.

AOI states that it represents over 20,000 businesses in Oregon, ranging from Portland General Electric's largest industrial customers to small manufacturers and small commercial businesses. AOI asserts that its involvement will be directed to rates and services issues of these customers.

2. The organization must demonstrate that it is able to effectively represent its particular group or class of customers.

AOI asserts that it has helped manage and lead customer and business coalitions interested in energy rate issues. Further, AOI points to its work on the electric restructuring legislation, and its active involvement in Docket UE 102.

¹ AOI served a copy of its application on the UM 1121 service list. No one objected to the application.

3. The organization's members, who are customers of one or more of the utilities affected by the proceeding, contribute a significant percentage of the overall support and funding of the organization.

AOI is a dues-based organization. Its members in Portland and the surrounding area contribute a significant percentage of AOI's overall funding and support.

4. The organization demonstrates, or has demonstrated in the past, the ability to substantively contribute to the record on behalf of customer interests related to rates, and terms and conditions of service.

AOI has intervened in other proceedings before the Commission, such as UE 102 and UE 115. Although it was not active in the prior proceedings, AOI intends to hire counsel and actively engage in these proceedings regarding matters of rates and service.

5. The organization demonstrates that:
- a. No precertified intervenor in this docket adequately represents the specific interests of the class of customers represented by the organization as to rates, and terms and conditions of service; or
 - b. The specific interests of a class of customers will benefit from the organization's participation; and
 - c. The organization demonstrates that its request for case-certification will not unduly delay the schedule of the proceeding.

The Industrial Customers of Northwest Utilities is a certified intervenor in this docket, and represents large industrial customers. AOI states that, as a broad-based group, it will represent smaller manufacturers, restaurants, retailers, hospitals and smaller commercial businesses. This customer group will benefit from AOI's participation, as no other organization represents these interests. Finally, AOI asserts that its request for case-certification will not unduly delay the docket schedule.

We have reviewed the application and find that AOI meets all of the requisite criteria.

ORDER

IT IS ORDERED that pursuant to OAR 860-012-0100(4), the Associated Oregon Industries is case-certified for this docket. A proposed budget should be submitted within 14 calendar days of the date of issuance of this order.

Made, entered, and effective _____.

Lee Beyer
Chairman

John Savage
Commissioner

Ray Baum
Commissioner

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.