

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 1235

In the Matter of)	
)	
SP NEWSPRINT CO.,)	
)	
Complainant,)	ORDER
)	
vs.)	
)	
PORTLAND GENERAL ELECTRIC)	
COMPANY,)	
)	
Defendant.)	

DISPOSITION: COMPLAINT DISMISSED; DOCKET CLOSED

On December 2, 2005, SP Newsprint Co. (SP Newsprint) filed a Complaint against Portland General Electric Company (PGE) with the Public Utility Commission of Oregon (Commission). The Complaint alleged that PGE had improperly denied a request by SP Newsprint to change its Baseline Demand under PGE’s Schedule 75, Partial Requirements Service (Schedule 75) and requested, among other things, that the Commission order PGE to allow SP Newsprint to modify its Baseline Demand. On December 14, 2005, PGE filed an Answer to SP Newsprint’s Complaint.

On the same day, PGE and SP Newsprint jointly submitted a Stipulation and a Joint Explanatory Brief. The Stipulation documents an agreement between PGE and SP Newsprint to change SP Newsprint’s Baseline Demand to 11.0 MW for the calendar year 2006. The Stipulation also states that SP Newsprint’s modified Baseline Demand of 11.0 MW should be utilized in setting Schedule 125, Part A, rates for PGE in Docket No. UE 172, regarding PGE’s Resource Valuation Mechanism (RVM). Along with the Stipulation and Joint Explanatory Brief, PGE filed a motion to set an expedited deadline for interventions and to shorten the response time to the Stipulation.

On December 16, 2005, a telephone conference was held in this proceeding and representatives from SP Newsprint, PGE, Commission Staff (Staff), the Industrial Customers of Northwest Utilities (ICNU) and the Oregon Department of

Energy (ODOE) participated. Telephone participants discussed the interrelationship of the agreement between PGE and SP Newsprint to modify SP Newsprint's Baseline Demand under Schedule 75 with ratemaking issues in Docket No. UE 172. Participants agreed that PGE and SP Newsprint could privately settle the issues in this docket, but observed that as any such resolution would affect issues in Docket No. UE 172, it would be appropriate to allow an opportunity for objection to the Stipulation. As issues in Docket No. UE 172 would be presented to the Commission at a Public Meeting on December 20, 2005, however, participants acknowledged a need to expeditiously resolve the issues in this docket.

During the telephone conference, ICNU and ODOE each stated an intention to not object to the Stipulation. Staff also stated that it would not object to the Stipulation should no other person object to the Stipulation. Participants agreed that notice of the Stipulation should be widespread and that persons should have until 5:00 p.m., December 19, 2005, to file a petition to intervene in this docket, together with an objection to the Stipulation. As a result, on December 16, 2005, notice of the Stipulation and of this deadline was filed upon the service lists for Docket Nos. UE 172, UE 176 and UE 158.

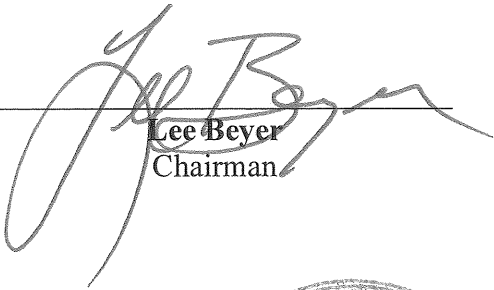
No petitions to intervene or objections to the Stipulation were received by the deadline. On December 19, 2005, after the deadline passed, SP Newsprint filed a letter that withdrew its Complaint and requested that the Commission close this proceeding. The Commission was informed of the settlement in this proceeding at the Public Meeting on December 20, 2005, and acted in Docket No. UE 172 based on the understanding that PGE and SP Newsprint had agreed that SP Newsprint's Baseline Demand would be 11.0 MW for 2006.

SP Newsprint's letter indicates that PGE and SP Newsprint have entered into the Stipulation and a Letter Agreement, dated December 19, 2005. We acknowledge the resolution of the issues in this proceeding and find good cause to dismiss SP Newsprint's complaint and close this docket.

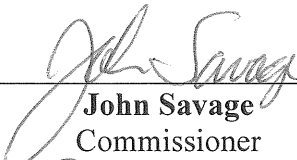
ORDER

IT IS ORDERED that the complaint filed by SP Newsprint Co. against Portland General Electric Company is dismissed with prejudice.


Made, entered, and effective DEC 22 2005.



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.