

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 199

In the Matter of)
)
PACIFICORP, dba PACIFIC POWER) ORDER
)
2009 Transition Adjustment Mechanism.)
Schedule 200, Cost-Based Supply Service.)

DISPOSITION: MOTION FOR WAIVER GRANTED

On October 24, 2008, the Administrative Law Judge (ALJ) issued a Notice to Parties informing the parties that the Commission may not issue a decision in this matter before mid-November. The purpose of the Notice was to invite PacifiCorp, dba Pacific Power (Pacific Power) to file a motion for a waiver of OAR 860-038-0275 to change the schedule for the direct access election period.

On October 29, 2008, Pacific Power filed a motion for waiver of OAR 860-038-0275(1). With its motion, Pacific Power also submitted an amended version of a stipulation that had been filed earlier in the proceeding. The changes to the stipulation track the modified schedule as proposed by Pacific Power in its motion.

All parties signed the original stipulation and support the motion.

The procedures for Pacific Power's direct access election period include the following key steps: (1) pre-election period mailing to customers eligible for direct access; (2) publication of the Transition Adjustment through posting of indicative prices at least five days before the election period; (3) an election period beginning November 15; (4) an election period of at least five days; and (5) customer submission of a Direct Access Service Request to Pacific Power by December 12.

According to Pacific Power, the parties have calculated an alternative direct access election period schedule, using the latest dates possible to accommodate direct access. They propose the following schedule:

Key Step	Previous Date	New Date
Pre-election mailing	Week of October 27	On or by November 10
Commission Order	By November 1	By November 14
Indicative Price Filing	November 7	November 21
Final Price Filing	November 14	December 2
Election Period	November 17-24 (one-year) November 17-December 3 (three-year option)	December 2-9

Key Step	Previous Date	New Date
Customer Service Request	December 12	December 12.

To facilitate the schedule, Pacific Power asks for a ruling on its motion by October 31, 2008.

Pacific Power's motion was filed in response to the Notice issued by the Administrative Law Judge. The schedule proposed by the parties is reasonable and should be adopted and OAR 860-038-0275 waived.

ORDER

IT IS ORDERED that OAR 860-038-0275 is waived for the purpose of PacifiCorp, dba Pacific Power's 2009 direct access election period. The modified direct access election schedule as set forth in this order is adopted.

Made, entered, and effective OCT 31 2008.

Lee Beyer

Lee Beyer *bb*
 Chairman

COMMISSIONER SAVAGE WAS
 UNAVAILABLE FOR SIGNATURE

John Savage
 Commissioner

Ray Baum

Ray Baum *bb*
 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 by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.