

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1425

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY

Application for Deferral of Expenses
Associated with an Increase in FERC Land
Fees.

ORDER

DISPOSITION: APPLICATION WITHDRAWN; DOCKET CLOSED

On March 30, 2009, Portland General Electric Company (PGE) filed an application for Deferral of Expenses Associated with an Increase in Annual Land Use Fees imposed by the Federal Energy Regulatory Commission (FERC). In its filing, PGE stated that, in Docket No. RM09-6-000, FERC issued a decision increasing the fees for the use of linear rights-of-way on government land. PGE adds that, following that decision, FERC notified PGE that its annual fees for use of federal lands would be increasing approximately \$1.2 million annually over the previous level. PGE's request was docketed as UM 1425.

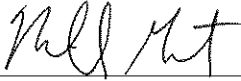
In addition to filing the request for deferral, PGE, along with other affected parties, appealed FERC's decision to increase the annual land use fees. Following various legal proceedings, the U.S. Court of Appeals (D.C. Circuit) granted an emergency stay of FERC's decision. FERC later issued revised "interim" Annual Land Use Fees bills to PGE and other affected parties, but reserved its ability to issue revised bills at the new and significantly higher rates under the challenged new fee schedule. It also advised the Court that it did not intend to file a motion to dissolve the Court's stay at that time, but reserved the right to do so in the future.

On December 10, 2009, PGE filed a motion to close this docket. After discussions with Commission Staff, PGE has decided to withdraw its application due to the uncertainty of if and when the FERC Land Use Fees increase for the 2009 federal fiscal year will be imposed, and if imposed, whether it will be retroactive. Thus, PGE would likely file, if it becomes necessary, under a different subsection of ORS 757.259.

ORDER

IT IS ORDERED that Docket UM 1425 is closed.

Made, entered, and effective on DEC 16 2009.



Michael Grant
Chief Administrative Law Judge
Administrative Hearings Division



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.