

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 324

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,Advice No. 17-05 (ADV 523), Schedule 134
Gresham Privilege Tax Payment Adjustment.

ORDER

DISPOSITION: ADVICE NO. 17-05 ALLOWED TO GO INTO EFFECT

In Advice No. 17-05, Portland General Electric Company seeks to recover approximately \$7 million in privilege taxes it was required to pay the City of Gresham following litigation over a 2 percent privilege tax increase that was adopted by Gresham in 2011, struck down by the circuit court in 2012, but ultimately upheld by the Oregon Supreme Court in 2016.

In Order No. 17-482, we addressed threshold legal issues related to the filing. We concluded that recovery was permissible under ORS 757.259(1)(a)(A), which allows a utility to recover in rates "[a]mounts lawfully imposed retroactively by order of another governmental agency." We also directed that a conference with the parties be convened to determine what, if any, additional proceedings were necessary to resolve any potential factual issues related to PGE's Advice No. 17-05.

At a December 14, 2017 telephone conference with the parties, Gresham raised no factual issues related to Advice No. 17-05, but expressed the desire to seek clarification of Order No. 17-482. Gresham subsequently filed a motion for clarification, but withdrew the request on January 10, 2018. Gresham explains that, after it filed the motion, Gresham and PGE reached a mutual agreement in principle on some of the issues raised by the order.

Accordingly, we end our investigation and conclude that Advice No. 17-05 should be allowed to go into effect effective February 1, 2018.

III. ORDER

IT IS ORDERED that Advice No. 17-05, filed by Portland General Electric Company on December 15, 2017, is allowed to go into effect for service on and after February 1, 2018.

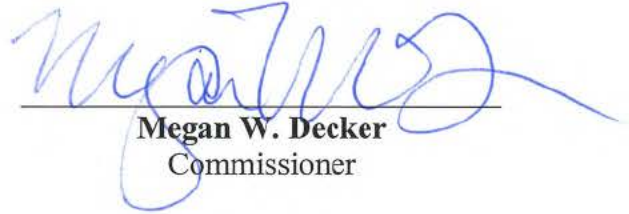
Made, entered, and effective JAN 25 2018.



Lisa D. Hardie
Chair



Stephen M. Bloom
Commissioner



Megan W. Decker
Commissioner



A party may request rehearing or reconsideration of this order under 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 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.