

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2273

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON,

Investigation Into House Bill 2021
Implementation Issues.

ORDER

DISPOSITION: MOTION TO AMEND PROCEDURAL SCHEDULE GRANTED,
MOTION FOR CLARIFICATION DENIED

On June 28, 2023, two motions were filed in this docket. First, PacifiCorp, dba Pacific Power, filed a motion to change the overall schedule in this case. PacifiCorp requests that the Commission extend the current July 11, 2023, deadline for opening briefs to July 24, 2023; the current August 3, 2023, deadline for reply briefs to the week of August 21, 2023; and the September 6, 2023, date for oral argument to September 19, 2023. PacifiCorp states that extensions are necessary to accommodate party conflicts, and that no party opposes the request.

PacifiCorp's motion is granted, and the following schedule is adopted:

EVENT	PREVIOUS DATE	NEW DATE
Opening Briefs	July 11, 2023	July 24, 2023
Reply Briefs	August 3, 2023	August 21, 2023
Oral Argument	September 6, 2023	1:30 p.m. on September 21, 2023 ¹

Second, NewSun Energy LLC (NewSun) submitted a motion for clarification of Order No. 23-194, with a request for expedited consideration and including a proposed schedule. NewSun argues that this clarification is necessary because our order lacks explanation for "preliminary legal conclusions" and "preliminary inclinations." NewSun represents that the Oregon Solar+Storage Industries Association and Pine Gate Renewables support its request.


¹ Parties may contact the Administrative Hearings Division recommending potential alternatives if this date for the Oral Argument is problematic.

We waive OAR 860-001-0420(4) and deny NewSun’s motion for clarification. As we indicated in Order No. 23-194, and as NewSun acknowledges in its motion, our determinations in that scoping order are preliminary and we remain open to argument and persuasion. Here, we chose to provide parties the benefit of insight into our preliminary thinking to facilitate an efficient proceeding. Accordingly, NewSun is invited to make the argument presented in its motion of June 28 in briefing. Addressing these arguments through the motion for clarification process would be inefficient and duplicative and would distract from the briefing process, which we have outlined as the means by which we will consider the policy and legal issues at issue in this case, including those raised by NewSun. The current phase of this docket will ultimately result in a final order on the legal questions implicated in NewSun’s motion and will constitute our definitive resolution of them.

IT IS ORDERED that:

1. PacifiCorp, dba Pacific Power’s motion to amend the procedural schedule is granted.
2. NewSun Energy LLC’s motion for clarification of Order No. 23-194 is denied.

Made, entered, and effective Jun 29 2023.



Megan W. Decker
Chair



Letha Tawney
Commissioner



Mark R. Thompson
Commissioner

