

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Bonneville Power Administration

Docket No. EF06-2011-002

**MOTION OF PUBLIC UTILITY COMMISSION OF OREGON  
TO INTERVENE OUT OF TIME**

**I. Motion to intervene**

The Public Utility Commission of Oregon (“OPUC”) files this motion to intervene out of time in Docket No. 06-2011-02 pursuant to Rules 212 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“the Commission”) (18 C.F.R. § 385.212 and § 385.214), and the Commission’s September 29, 2008 Notice.

On September 29, 2008, the Bonneville Power Administration (“BPA”) filed its proposed WP-07 Supplemental Rates with the Commission seeking interim and final approval of those rates. That same day, the Commission published notice of the filing in the Federal Register and advised interested persons that they had until October 13, 2008, in which to file a protest and/or to intervene.

The OPUC is statutorily charged with regulating the electricity service provided by PacifiCorp, Portland General Electric Co. (“PGE”), and Idaho Power Company (“Idaho Power”) in Oregon and the rates charged for that service. (Oregon Revised Statute 756.040.) The OPUC is also statutorily charged with representing customers of these utilities in all controversies respecting rates. (Oregon Revised Statute 756.040.)

Oregon customers of PGE, PacifiCorp and Idaho Power, which the OPUC is statutorily charged with representing, will be affected by the outcome of this proceeding because the BPA made decisions that affect the level of benefits to which these customers are entitled under the “Residential Exchange Program.”

The Residential Exchange Program (“REP”) was established by Section 5(c) of the Northwest Power Act and is administered by BPA. PacifiCorp, PGE, and Idaho Power are entitled to participate in the REP. Under the REP, whenever PGE, PacifiCorp or Idaho Power offer to sell electric power to BPA at its average system cost, BPA is required to purchase such power and offer, in exchange, to sell an equivalent amount of electric power to such utility at the applicable PF exchange rate. The utility passes through any cost benefits attributable to the difference between the utility’s average system cost and the applicable PF Exchange rate directly to its residential and small farm loads. In the underlying proceeding, BPA established, among other things, the PF Exchange Rate applicable to PacifiCorp, PGE, and Idaho Power.

No other party in this proceeding is statutorily charged with protecting the interests of the Oregon customers of PGE, PacifiCorp and Idaho Power.

**II. Request to allow intervention out of time**

There is good cause for allowing the OPUC to intervene out of time. OPUC’s primary counsel in the underlying proceeding was on Family Medical Leave from July 28, 2008 to October 20, 2008, and was unaware of the September 29, 2008 Notice or the October 13, 2008 deadline for intervention. Further, allowing the OPUC’s late intervention should not disrupt this proceeding nor cause prejudice. The deadline for intervention passed a short time ago and little has happened in the docket other than the filing of motions to intervene and some protests.

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### III. Notices and communications

All correspondence, communications, pleadings and other documents related to this proceeding should be addressed to the following individuals:

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Assistant Attorney General  
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### IV. Conclusion

The OPUC respectfully requests that its motion to intervene out of time be granted.

DATED this 27<sup>th</sup> day of October 2008.

Respectfully submitted,

HARDY MYERS  
Attorney General

/s/Stephanie S. Andrus  
Stephanie S. Andrus, #92512  
Assistant Attorney General  
Of Attorneys for the Public Utility  
Commission of Oregon

## CERTIFICATE OF SERVICE

I certify that on October 27, 2008, I served the foregoing Motion to Intervene upon all parties of record in this proceeding by delivering a copy by electronic mail, and by mailing a copy by postage prepaid first class mail to those parties requiring postal service as follows:

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