

**RESOLUTION No. 36919**

Authorize the City Attorney to intervene on behalf of the City of Portland in Oregon Public Utility Commission docket UM 1587. (Resolution).

WHEREAS, the Oregon Public Utilities Commission, ("OPUC"), has opened a docket titled, "Investigation of Issues Relating to Direct Access, UM 1587"; and

WHEREAS, this docket will investigate why Oregon has so few Electricity Service Suppliers (ESS); how to reduce or eliminate franchise fee-related disincentives to direct access customers and or utilities; the potential for customers to buy power directly from a trading hub; and other related issues identified by parties to the proceeding; and

WHEREAS, on December 14, 2011 the City Council passed Ordinance 185072 authorizing the Chief Procurement Officer to purchase electricity from an Electricity Service Supplier if in the city's best interest; and

WHEREAS, some City of Portland Bureaus, in cooperation with the Chief Procurement Officer, are investigating buying electricity from an Electricity Service Supplier; and

WHEREAS, among other issues, OPUC staff has proposed that the issue of franchise fees on sales of electricity by Electricity Service Suppliers be considered within this docket, which may have implications on revenues for the City's general fund; and

WHEREAS, the City of Portland has broad authority under its home rule charter to oversee the activities of utilities within its boundaries, including through the establishment of franchises and the issuance of permits, and is also responsible for the orderly management of public rights-of-way within its boundaries; and

WHEREAS, participation by the City as a party in this OPUC filing would permit the City to: (1) obtain important information regarding gas and electric fuel efficiency and other matters not otherwise readily available; (2) be informed of other parties' actions and comments in this proceeding; and (3) influence the outcome of the proceeding for the benefit of the city's Climate Action Plan and for the benefit of the citizens of Portland.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Portland, that the City Attorney is hereby authorized and directed to intervene on behalf of the City as a full party in Oregon Public Utility Commission proceeding UM 1587 to present the City's views and protect its interests as necessary.

Adopted by the Council: MAY 02 2012

Commissioner Mayor Sam Adams

Prepared by: D. Tooze/ BPS

Date Prepared: April 16, 2010

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By

  
Deputy

Agenda No. **36919**  
*Resolution* - **ORDINANCE NO.**  
 Title

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INTRODUCED BY Commissioner/Auditor: <b>Mayor Sam Adams</b>	CLERK USE: DATE FILED <u>APR 27 2012</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland  By: Deputy  ACTION TAKEN:
<b>BUREAU APPROVAL</b> Bureau: Planning and Sustainability Bureau Head: Susan Anderson  Prepared by: D Tooze Date Prepared: April 16, 2012	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date <b>May 2, 2012</b>	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____  Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input checked="" type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	