## BEFORE THE PUBLIC UTILITY COMMISSION

#### **OF OREGON**

#### **UM 1286**

In the Matter of	)
THE PUBLIC UTILITY COMMISSION OF OREGON	FINAL REQUEST FOR PAYMENT OF ISSUE FUND GRANT OF THE NORTHWEST INDUSTRIAL GAS USERS
Investigation into the Purchased Gas Adjustment (PGA) Mechanism used by Oregon's Three Local Distribution Companies	

Pursuant to Section 7.3 of the First Amended and Restated Intervenor Funding Agreement ("IFA") approved by the Oregon Public Utility Commission ("Commission") in Order No. 07-564 (December 19, 2007), the Northwest Industrial Gas Users ("NWIGU") hereby request final payment of NWIGU's Issue Fund Grant in Docket No. UM-1286 in the amount of \$4,757.57. In support of this Final Request, NWIGU shows the following:

- 1. On January 10, 2007, NWIGU filed a Notice of Intent to Request an Issue Fund Grant in this docket. On January 23, 2007, NWIGU submitted a proposed budget in the amount of \$10,725. The Commission approved the Issue Fund Grant for NWIGU in the amount of \$10,725 on February 27, 2008. *Re Investigation into the Purchased Gas Adjustment (PGA) mechanism used by Oregon's three local distribution companies*, OPUC Docket No. UM 1286, Order No. 07-068 (February 27, 2007).
- 2. Pursuant to Commission Order No. 08-014 in this docket, NWIGU received a partial payment from the UM 1286 Issue Fund Grant of \$5,674.93 for costs incurred through October 31, 2007. Pursuant to Commission Order No. 08-193 in this docket, NWIGU also

Page 1 – FINAL REQUEST FOR PAYMENT OF ISSUE FUND GRANT OF NWIGU

204855

received a partial payment from the UM 1286 Issue Fund Grant of \$292.50 for costs incurred through December 31, 2007.

3. NWIGU hereby requests that the Commission authorize final payment of the Issue

Fund Grant in this docket in the amount of \$4,757.57. NWIGU's total Eligible Expenses for this

proceeding from January 1, 2008 through October 31, 2008 are shown in Confidential

Attachment A and were approximately double the remaining issue fund balance for which

NWIGU seeks payment.

4. NWIGU respectfully submits that this request for payment satisfies the requirement of

IFA Section 7.4 as follows:

Section 7.3(a) - The itemized expenses, payees and hourly rates are attached as

Confidential Attachment A.

Section 7.3(b) - NWIGU was a full and active participant in this docket. NWIGU

participated in settlement workshops and discussions, presentations before the

Commission, filed comments, filed joint testimony, and filed a joint legal brief. The

expenses included in Confidential Attachment A are Eligible Expenses as defined in IFA

Section 7.4 and are reasonable and directly attributable to NWIGU's participation in UM-

1286 on behalf of industrial customers.

Section 7.4(c) – NWIGU used its own funds to pay for at least 20% of the Eligible

Expenses as required by Section 6.5 of the IFA. In addition NWIGU has supplied

substantial resources in this proceeding through its Executive Director's active

involvement in addition to the Eligible Expenses set forth on Attachment A, which

Attachment reflect only those Eligible Expenses from outside legal counsel at the law

firm of Cable Huston Benedict Haagensen and Lloyd, LLP.

Page 2 – FINAL REQUEST FOR PAYMENT OF ISSUE FUND GRANT OF NWIGU

204855

Section 7.4 – All of the expenses included in Confidential Attachment A are Eligible Expenses as defined in Section 7.4 of the IFA and are consistent with NWIGU's proposed budget in this proceeding. No conditions were placed on NWIGU's Issue Fund Grant in Order No. 07-068 or Order No. 08-014.

5. Upon approval of this request for payment by the Commission, NW Natural should send payment to NWIGU as follows:

Paula E. Pyron Executive Director Northwest Industrial Gas Users P.O. Box 2058 Tualatin, OR 97062-2058

NWIGU has satisfied the terms of the IFA and respectfully requests that the Commission approve full payment of NWIGU's Issue Fund Grant in the amount of \$4,757.57 within 30 days of receiving this Request for Payment as provided in Section 7.6 of the IFA. This Request for ///

///
///
///
///
///
///
///

///

///

Page 3 – FINAL REQUEST FOR PAYMENT OF ISSUE FUND GRANT OF NWIGU

204855

Payment constitutes a final Request for Payment of the Issue Fund authorized by the Commission for NWIGU in Phase I of this docket.

Dated this 19<sup>th</sup> day of November, 2008.

CABLE HUSTON BENEDICT HAAGENSEN & LLOYD LLP

Chad M. Stokes, OSB No. 004007

Tommy A. Brooks, OSB No. 076071

1001 SW 5<sup>th</sup> Avenue, Suite 2000

Portland, OR 97204

Telephone: (503) 224-3092

Facsimile: (503) 224-3176

E-Mail:

cstokes@cablehuston.com

tbrooks@cablehuston.com

Of Attorneys for the

Northwest Industrial Gas Users

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused to be served the foregoing FINAL REQUEST FOR PAYMENT OF ISSUE FUND GRANT OF THE NORTHWEST INDUSTRIAL GAS

## **USERS** on:

RATES & REGULATORY AFFAIRS NORTHWEST NATURAL 220 NW 2ND AVE PORTLAND OR 97209 efiling@nwnatural.com	KATHERINE BARNARD (W) CASCADE NATURAL GAS PO BOX 24464 SEATTLE WA 98124 kbarnard@cngc.com
OPUC DOCKETS CITIZENS' UTILITY BOARD OF OREGON 610 SW BROADWAY STE 308 PORTLAND OR 97205 dockets@oregoncub.org	DAVID HATTON DEPARTMENT OF JUSTICE REGULATED UTILITY & BUSINESS SECTION 1162 COURT ST NE SALEM OR 97301-4096 david.hatton@state.or.us
ROBERT JENKS CITIZENS' UTILITY BOARD OF OREGON 610 SW BROADWAY STE 308 PORTLAND OR 97205 bob@oregoncub.org	LISA F. RACKNER WENDY MCINDOO MCDOWELL & RACKNER PC 520 SW 6TH AVE STE 830 PORTLAND OR 97204 lisa@mcd-law.com wendy@mcd-law.com
DAVID J MEYER AVISTA CORPORATION PO BOX 3727 SPOKANE WA 99220-3727 david.meyer@avistacorp.com	PAULA E. PYRON NORTHWEST INDUSTRIAL GAS USERS 4113 WOLF BERRY CT LAKE OSWEGO OR 97035-1827 ppyron@nwigu.org
LAWRENCE REICHMAN PERKINS COIE LLP 1120 NW COUCH ST - 10 FL PORTLAND OR 97209-4128 lreichman@perkinscoie.com	INARA K SCOTT NORTHWEST NATURAL 220 NW 2ND AVE PORTLAND OR 97209 iks@nwnatural.com

JON T STOLTZ (W)
CASCADE NATURAL GAS
PO BOX 24464
SEATTLE WA 98124
jstoltz@cngc.com

KEN ZIMMERMAN
PUBLIC UTILITY COMMISSION OF OREGON
550 CAPITOL ST NE, STE 215
SALEM OR 97301
ken.zimmerman@state.or.us

# (W)= Waive Paper Service

- [X] by **ELECTRONIC NOTIFICATION**, a full, true and correct copy thereof to the party, at the <u>e-mail address</u> shown above, which is the last-known email address for the party, on the date set forth below. or
- [X] by MAILING to those parties who have not waived paper service, a full, true and correct copy thereof in a sealed, postage-paid envelope, addressed as shown above, and deposited with the U.S. Postal Service at Portland, Oregon, on the date set forth below;

DATED November 19<sup>th</sup>, 2008.

Chad M. Stokes, OSB No. 004007

Of Attorneys for the Northwest Industrial Gas Users