

# Davison Van Cleve PC

Attorneys at Law

TEL (503) 241-7242 • FAX (503) 241-8160 • mail@dvclaw.com  
Suite 400  
333 SW Taylor  
Portland, OR 97204

March 31, 2010

*Via Electronic and U.S. Mail*

Public Utility Commission  
Attn: Filing Center  
550 Capitol St. NE #215  
P.O. Box 2148  
Salem OR 97308-2148

Re: In the Matter of THE PUBLIC UTILITY COMMISSION OF OREGON  
Staff Investigation into Cost Methods for Use in Developing Electric Rate  
Spreads.  
**Docket No. UM 1415**

Dear Filing Center:

Enclosed please find the Request for Final Payment on behalf of the Industrial  
Customers of Northwest Utilities in the above-referenced matter.

Thank you for your assistance.

Sincerely yours,

/s/ Brendan E. Levenick  
Brendan E. Levenick

Enclosures

cc: Service List

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Request for Final Payment on behalf of the Industrial Customers of Northwest Utilities upon the parties on the service list, shown below, by causing the same to be sent by electronic mail to all parties, as well as, deposited in the U.S. Mail, postage-prepaid, to parties which have not waived paper service.

Dated at Portland, Oregon, this 31st day of March, 2010.

/s/ Brendan E. Levenick  
Brendan E. Levenick

<b>DEPARTMENT OF JUSTICE</b> JASON W JONES ASSISTANT ATTORNEY GENERAL REGULATED UTILITY & BUSINESS SECTION 1162 COURT ST NE SALEM OR 97301-4096 jason.w.jones@state.or.us	MICHAEL L KURTZ KURT J BOEHM ATTORNEY 36 E SEVENTH ST - STE 1510 CINCINNATI OH 45202
<b>BRUBAKER AND ASSOCIATES</b> ALAN ROSENBERG 1215 FERN RIDGE PARKWAY, SUITE 208 ST. LOUIS MO 63141	<b>MCDOWELL &amp; RACKNER PC</b> WENDY MCINDOO LISA F RACKNER 520 SW 6TH AVE STE 830 PORTLAND OR 97204 wendy@mcd-law.com lisa@mcd-law.com
<b>IDAHO POWER COMPANY (W)</b> CHRISTA BEARRY JEANNETTE C BOWMAN BARTON L KLINE TIM TATUM MIKE YOUNGBLOOD PO BOX 70 BOISE ID 83707-0070 cbearry@idahopower.com jbowman@idahopower.com bkline@idahopower.com ttatum@idahopower.com myoungblood@idahopower.com	<b>PACIFIC POWER &amp; LIGHT</b> JORDAN A WHITE 825 NE MULTNOMAH STE 1800 PORTLAND OR 97232 jordan.white@pacificorp.com
<b>PACIFICORP, DBA PACIFIC POWER</b> PACIFIC POWER OREGON DOCKETS 825 NE MULTNOMAH STREET, STE 2000 PORTLAND OR 97232 oregondockets@pacificorp.com	<b>PORTLAND GENERAL ELECTRIC</b> DOUG KUNS 121 SW SALMON ST 1WTC0702 PORTLAND OR 97204 pge.opuc.filings@pgn.com

<b>PORTLAND GENERAL ELECTRIC</b> DOUGLAS C TINGEY ASST GENERAL COUNSEL 121 SW SALMON 1WTC13 PORTLAND OR 97204 doug.tingey@pgn.com	<b>CITIZEN'S UTILITY BOARD OF OREGON</b> G. CATRIONA MCCRACKEN ROBERT JENKS 610 SW BROADWAY - STE 308 PORTLAND OR 97205 catriona@oregoncub.org bob@oregoncub.org
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**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UM 1415**

In the Matter of	)	
	)	
THE PUBLIC UTILITY COMMISSION OF	)	REQUEST FOR FINAL PAYMENT OF
OREGON	)	ISSUE FUND GRANT OF THE
	)	INDUSTRIAL CUSTOMERS OF
Staff Investigation into Cost Methods for Use	)	NORTHWEST UTILITIES
in Developing Electric Rate Spreads.	)	
_____	)	

Pursuant to Section 7.3 of the First Amended and Restated Intervenor Funding Agreement (“IFA”), approved by the Oregon Public Utility Commission (“Commission”) by Order No. 07-564 (December 19, 2007), the Industrial Customers of Northwest Utilities (“ICNU”) hereby requests final payment of ICNU’s Issue Fund Grant in Docket No. UM 1415 in the amount of \$729.22. ICNU requests that the payment amount be split equally between Portland General Electric (“PGE”) and PacifiCorp.

On February 10, 2009, ICNU filed a Notice of Intent to Request an Issue Fund Grant in Docket No. UM 1415. On March 20, 2009, ICNU filed a proposed budget in the amount of \$68,020 in Docket No. UM 1415. The Commission approved an Issue Fund Grant for ICNU (to be split equally between PGE and PacifiCorp) in the amount of \$68,020 on March 30, 2009. Re OPUC, OPUC Docket No. UM 1415, Order No. 09-101 (March 30, 2009). As a result, ICNU has an approved Issue Fund grant of \$68,020 in this proceeding. On August 11, 2009, ICNU filed an earlier Request for Partial Payment in the amount of \$32,193.52. That request was approved on August 18, 2009, by Order No. 09-320. On November 25, 2009, ICNU filed a second Request for Partial Payment in the amount of \$15,900.44. ICNU’s second request was approved on December 3, 2009, by Order No. 09-471. Pursuant to Order No. 09-101, ICNU

is requesting final payment in this docket from the issue funds of PacifiCorp and PGE, resulting in a final payment of \$364.61 due from each utility.

ICNU hereby requests that the Commission authorize final payment of the Issue Fund Grant in the amount of \$729.22. ICNU's expenses are shown in Confidential Attachment A. Confidential Attachment A is subject to the General Protective Order issued in Docket No. UM 1357. Order No. 09-119.

This Request for Payment satisfies the requirements of the IFA as follows:

**Section 7.3(a)** – The itemized expenses, payees, and hourly rates are attached as Confidential Exhibit A.

**Section 7.3(b)** – ICNU has been a full and active participant in this Docket. ICNU conducted discovery, participated in workshops, and prepared presentations for use in workshops. The expenses included in Confidential Exhibit A are reasonable and directly attributable to ICNU's participation in Docket No. UM 1415.

**Section 7.3(c)** – The Commission approved the proposed budget on March 30, 2009. In addition, ICNU used its own funds to pay for at least 20% of the Eligible Expenses as required by Section 6.5 of the IFA.

**Section 7.4** – All of the expenses included in Exhibit A are Eligible Expenses as defined in Section 7.4 of the IFA because they relate to services provided or expenses incurred by ICNU's outside legal counsel and expert witnesses. Relevant non-privileged documents substantiating the Eligible Expenses in Confidential Exhibit A are available for Commission audit, if requested, pursuant to Section 7.10 of the IFA.

The IFA provides that the granting of "an Issue Fund Grant shall constitute a binding obligation on the Commission to order reimbursement of Eligible Expenses." IFA § 6.5. Likewise, the intervenor funding rules adopted by the Commission provide that "the terms of an [intervenor funding] agreement will be binding on all organizations seeking a grant under that agreement and will be followed by the Commission in administering the agreement."

OAR § 860-012-0100(2). ICNU has satisfied the terms of the IFA and respectfully requests that the Commission approve partial payment of ICNU's Issue Fund Grant in the amount of \$729.22

(\$364.61 from PGE and \$364.61 from PacifiCorp) within 30 days of receiving this Request for Final Payment as provided in Section 7.6 of the IFA. This Request for Payment constitutes a Final Request for Payment in this docket. The remaining \$19,196.82 of this Issue Fund Grant may be split equally and released back into the Issue Fund Account for each utility.

Payment should be sent to:

Michael Early  
Industrial Customers of Northwest Utilities  
333 S.W. Taylor, Suite 400  
Portland, Oregon 97204

Dated this 31st day of March, 2010.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ S. Bradley Van Cleve  
S. Bradley Van Cleve  
333 S.W. Taylor, Suite 400  
Portland, Oregon 97204  
(503) 241-7242 telephone  
(503) 241-8160 facsimile  
mail@dvclaw.com  
Of Attorneys for Industrial Customers  
of Northwest Utilities