

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

November 25, 2009

Via Electronic and US 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 original Request for Partial Payment on behalf of the
Industrial Customers of Northwest Utilities in the above-referenced docket.

Thank you for your assistance.

Sincerely,

/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 Partial Payment on behalf of the of the Industrial Customers of Northwest Utilities upon the parties, on the service list, by causing the same to be deposited in the U.S. Mail, postage-prepaid, and via electronic mail.

Dated at Portland, Oregon, this 25th day of November, 2009.

Sincerely,

/s/ Brendan E. Levenick

Brendan E. Levenick

DEPARTMENT OF JUSTICE

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

BRUBAKER AND ASSOCIATES

ALAN ROSENBERG
1215 FERN RIDGE PARKWAY, SUITE 208
ST. LOUIS MO 63141

MCDOWELL & RACKNER PC (W)

WENDY MCINDOO
LISA F RACKNER
520 SW 6TH AVE STE 830
PORTLAND OR 97204
wendy@mcd-law.com
lisa@mcd-law.com

IDAHO POWER COMPANY (W)

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

PACIFIC POWER & LIGHT (W)

JORDAN A WHITE
825 NE MULTNOMAH STE 1800
PORTLAND OR 97232
jordan.white@pacificorp.com

PACIFICORP, DBA PACIFIC POWER (W)

PACIFIC POWER OREGON DOCKETS
825 NE MULTNOMAH STREET, STE 2000
PORTLAND OR 97232
oregondockets@pacificorp.com

PORTLAND GENERAL ELECTRIC

DOUG KUNS
121 SW SALMON ST 1WTC0702
PORTLAND OR 97204
pge.opuc.filings@pgn.com

PORTLAND GENERAL ELECTRIC

DOUGLAS C TINGEY
ASST GENERAL COUNSEL
121 SW SALMON 1WTC13
PORTLAND OR 97204
doug.fingey@pgn.com

CITIZEN'S UTILITY BOARD OF OREGON (W)

G. CATRIONA MCCRACKEN
ROBERT JENKS
610 SW BROADWAY - STE 308
PORTLAND OR 97205
catriona@oregoncub.org
bob@oregoncub.org

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1415

In the Matter of)	
)	
THE PUBLIC UTILITY COMMISSION OF)	REQUEST FOR PARTIAL PAYMENT
OREGON)	OF 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 partial payment of ICNU’s Issue Fund Grant in Docket No. UM 1415 in the amount of \$15,900.44. 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. That request was approved on August 18, 2009, by Order No. 09-320. Pursuant to Order No. 09-101, ICNU is requesting partial payment in this docket from the issue funds of PacifiCorp and PGE, resulting in a partial payment of \$7,950.22 due from each utility.

ICNU hereby requests that the Commission authorize partial payment of the Issue Fund Grant in the amount of \$15,900.44. 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 intends to participate in any hearings on briefing that may occur in UM 1415. 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 \$15,900.44 (\$7,950.22 from PGE and \$7,950.22 from PacifiCorp) within 30 days of receiving

this Request for Partial Payment as provided in Section 7.6 of the IFA. This Request for Payment constitutes a Partial Request for Payment in this docket.

Payment should be sent to:

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

Dated this 25th day of November, 2009.

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