

# Davison Van Cleve PC

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Suite 400  
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August 11, 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 PORTLAND GENERAL ELECTRIC COMPANY 2010  
Annual Power Cost Update Tariff  
**Docket No. UE 208**

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 11th day of August, 2009.

Sincerely,

/s/ Brendan E. Levenick

Brendan E. Levenick

<b>(W) CITIZENS' UTILITY BOARD OF OREGON</b> G. CATRIONA MCCRACKEN (C) ROBERT JENKS (C) 610 SW BROADWAY STE 308 PORTLAND OR 97205 dockets@oregoncub.org bob@oregoncub.org	<b>DEPARTMENT OF JUSTICE</b> STEPHANIE ANDRUS (C) ASSISTANT ATTORNEY 1162 COURT ST NE SALEM OR 97301-4096 stephanie.andrus@state.or.us
<b>OREGON PUBLIC UTILITY COMMISSION</b> ED DURRENBERGER (C) PO BOX 2148 SALEM OR 97308-2148 ed.durrenberger@state.or.us	<b>PORTLAND GENERAL ELECTRIC</b> RANDALL DAHLGREN RATES & REGULATORY AFFAIRS 121 SW SALMON ST 1WTC 0702 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	

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 208**

In the Matter of	)	
	)	REQUEST FOR PARTIAL PAYMENT OF
PORTLAND GENERAL ELECTRIC	)	ISSUE FUND GRANT OF THE
COMPANY	)	INDUSTRIAL CUSTOMERS OF
	)	NORTHWEST UTILITIES
	)	
<u>2010 Annual Power Cost Update Tariff.</u>	)	

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. UE 208 in the amount of \$21,854.20.

On April 14, 2009, ICNU filed a Notice of Intent to Request an Issue Fund Grant in Docket No. UE 208. On May 28, 2009, ICNU filed a proposed budget in the amount of \$30,470 in Docket No. UE 208. The Commission approved an Issue Fund Grant for ICNU in the amount of \$30,470 on June 19, 2009. Re PGE, OPUC Docket No. UE 208, Order No. 09-229 (June 19, 2009). As a result, ICNU has an approved Issue Fund grant of \$30,470 in this proceeding.

ICNU hereby requests that the Commission authorize partial payment of the Issue Fund Grant in the amount of \$21,854.20. ICNU’s expenses are shown in Confidential Attachment A.

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, filed testimony, participated in workshops and settlement discussions, and intends to participate in any hearings and file legal briefs. The expenses included in Confidential Exhibit A are reasonable and directly attributable to ICNU’s participation in Docket No. UE 208.

**Section 7.3(c)** – The Commission approved ICNU’s proposed budget on June 19, 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 \$21,854.20 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 11th day of August, 2009.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ S. Bradley Van Cleve

S. Bradley Van Cleve

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Portland, Oregon 97204

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Of Attorneys for Industrial Customers  
of Northwest Utilities