

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 210

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|--------------------------------------|---|------------------------------|
| In the Matter of |) | |
| |) | REQUEST FOR FINAL |
| PACIFICORP, dba PACIFIC POWER |) | PAYMENT OF ISSUE FUND |
| |) | GRANT OF KLAMATH WATER USERS |
| Request for a General Rate Revision. |) | ASSOCIATION |
| |) | |

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 Klamath Water Users Association (“KWUA”) hereby requests final payment of KWUA’s Issue Fund Grant in Docket No. UE 210 in the amount of \$6,636.40.

On April 21, 2009, KWUA filed a Notice of Intent to Request an Issue Fund Grant in Docket No. UE 210. On June 1, 2009, KWUA filed a proposed budget in the amount of \$40,000 in Docket No. UE 210. The Commission approved an Issue Fund Grant for KWUA in the amount of \$26,870 on June 18, 2009. Re PacifiCorp, OPUC Docket No. UE 210, Order No. 09-227 (June 18, 2009). As a result, KWUA has an approved Issue Fund grant of \$26,870 in this proceeding. On August 20, 2009, KWUA filed a Request for Partial Payment of Issue Fund Grant in the amount of \$20,233.60, which was approved on August 28, 2009. Re PacifiCorp, OPUC Docket No. UE210, Order NO. 09-334 (August 28, 2009).

KWUA hereby requests that the Commission authorize final payment of the Issue Fund Grant in the amount of \$6,636.40. KWUA’s expenses are shown in Confidential Attachment A. None of the expenses shown in Attachment A were included in KWUA’s

Request for Partial Payment.

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) – KWUA has been a full and active participant in this Docket. KWUA conducted discovery, filed direct testimony, and has participated in workshops and settlement discussions. The expenses included in Confidential Exhibit A are reasonable and directly attributable to KWUA’s participation in Docket No. UE 210.

Section 7.3(c) – The Commission approved KWUA’s proposed budget on June 18, 2009. In addition, KWUA used its own funds to pay for well over 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 KWUA’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). KWUA has satisfied the terms of the IFA and respectfully requests that the Commission approve final payment of KWUA’s Issue Fund Grant in the amount of \$6,636.40 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.

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Payment should be sent to:

Greg Addington
Klamath Water Users Association
2455 Patterson Street, Suite 3
Klamath Falls, OR 97603

Dated this 21st day of October, 2009.

Respectfully submitted,

CABLE HUSTON BENEDICT
HAAGENSEN & LLOYD, LLP



Richard Lorenz
1001 SW Fifth Avenue, Suite 2000
Portland, Oregon 97204-1136
(503) 224-3092 telephone
(503) 224-3176 facsimile
rlorenz@cablehuston.com

Of Klamath Water Users Association

CERTIFICATE OF SERVICE

I CERTIFY that I have on this day served the foregoing **REQUEST FOR FINAL PAYMENT OF ISSUE FUND GRANT OF KLAMATH WATER USERS ASSOCIATION** on all parties of the record listed on the Service list below, in this proceeding via electronic mail and/or via mailing a copy properly addressed with first class postage prepaid pursuant to OAR 860-13-0070.

KURT J. BOEHM
ATTORNEY
BOEHM KURTZ & LOWRY
36 E. SEVENTH ST. – STE. 1510
CINCINNATI, OH 45202
kboehm@bkllawfirm.com

MICHAEL L. KURTZ
BOEHM KURTZ & LOWRY
36 E. SEVENTH ST. – STE. 1510
CINCINNATI, OH 45202
mkurtz@bkllawfirm.com

G. CATRIONA MCCRACKEN (C) (W)
LEGAL COUNSEL/STAFF ATTY
CITIZEN'S UTILITY BOARD OF OREGON
610 SW BROADWAY - STE 308
PORTLAND OR 97205
catriona@oregoncub.org

GORDON FEIGHNER (C) (W)
ENERGY ANALYST
CITIZEN'S UTILITY BOARD OF OREGON
610 SW BROADWAY - STE 308
PORTLAND OR 97205
gordon@oregoncub.org

ROBERT JENKS (C) (W)
CITIZEN'S UTILITY BOARD OF OREGON
610 SW BROADWAY STE 308
PORTLAND OR 97205
bob@oregoncub.org

MELINDA DAVISON (C)
DAVISON VAN CLEVE
333 SW TAYLOR - STE 400
PORTLAND OR 97204
mail@dvclaw.com

JASON W JONES (C)
ASSISTANT ATTORNEY GENERAL
REGULATED UTILITY & BUSINESS
SECTION
DEPARTMENT OF JUSTICE
1162 COURT ST NE
SALEM OR 97301-4096
jason.w.jones@state.or.us

AMIE JAMIESON (W)
ATTORNEY
MCDOWELL & RACKNER PC
520 SW SIXTH AVE - STE 830
PORTLAND OR 97204
amie@mcd-law.com

KATHERINE A MCDOWELL (W)
ATTORNEY
MCDOWELL & RACKNER PC
520 SW SIXTH AVE - STE 830
PORTLAND OR 97204
katherine@mcd-law.com

JOELLE STEWARD (W)
REGULATORY MANAGER
PACIFIC POWER & LIGHT
825 NE MULTNOMAH STE 2000
PORTLAND OR 97232
joelle.steward@pacificcorp.com