

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

September 12, 2011

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 PUBLIC UTILITY COMMISSION OF OREGON
Investigation Into Avoided Cost Purchases from Qualifying Facilities –
Schedule 37
Docket No. UE 235

Dear Filing Center:

Enclosed please find the original and one (1) copy of the Petition to Intervene on behalf of the Industrial Customers of Northwest Utilities in the above-referenced docket.

Thank you for your assistance.

Sincerely,

/s/ Sarah A. Kohler
Sarah A. Kohler

Enclosures

cc: Service List

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Petition to
Intervene on behalf 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 12th day of September, 2011.

Sincerely,

/s/ Sarah A. Kohler
Sarah A. Kohler

(W) PACIFIC POWER & LIGHT
JORDAN A WHITE
SENIOR COUNSEL
1407 W. NORTH TEMPLE, STE 320
SALT LAKE CITY UT 84116
jordan.white@pacificcorp.com

(W) PACIFICORP
OREGON DOCKETS
825 NE MULTNOMAH ST STE 2000
PORTLAND OR 97232
oregondockets@pacificcorp.com

**(W) COMMUNITY RENEWABLE ENERGY
ASSOCIATION**
PAUL R WOODIN
1113 KELLY AVE
THE DALLES OR 97058
pwoodin@communityrenewables.org

(W) LOVINGER KAUFMANN LLP
KENNETH KAUFMANN
825 NE MULTNOMAH STE 925
PORTLAND OR 97232-2150
kaufmann@lklaw.com

(W) RICHARDSON & O'LEARY
GREGORY M ADAMS
PETER J RICHARDSON
PO BOX 7218
BOISE ID 83702
greg@richardsonandoleary.com
peter@richardsonandoleary.com

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 235

In the Matter of)	
)	
PUBLIC UTILITY COMMISSION OF)	PETITION TO INTERVENE OF THE
OREGON)	INDUSTRIAL CUSTOMERS OF
)	NORTHWEST UTILITIES
Investigation Into Avoided Cost Purchases from)	
<u>Qualifying Facilities – Schedule 37</u>)	

Pursuant to ORS § 756.525 and OAR § 860-001-0300(2), the Industrial Customers of Northwest Utilities (“ICNU”) petitions the Public Utility Commission of Oregon (“Commission”) to intervene in this proceeding with full party status as described in OAR § 860-001-0010(7). ICNU waives paper service of all non-confidential filings. In support of this petition, ICNU represents as follows:

1. The business address of ICNU is:

Industrial Customers of Northwest Utilities
333 SW Taylor Ave, Suite 400
Portland, OR 97204

2. ICNU will be represented in this proceeding by Davison Van Cleve, P.C.

All documents relating to these proceedings should be served on ICNU’s attorneys and consultant at the following address:

Irion A. Sanger
Davison Van Cleve, P.C.
333 S.W. Taylor, Suite 400
Portland, OR 97204
E-Mail: ias@dvclaw.com
mail@dvclaw.com
Telephone: (503) 241-7242
Facsimile: (503) 241-8160

Donald W. Schoenbeck
Regulatory & Cogeneration Services, Inc.
900 Washington Street, Suite 780
Vancouver, WA 98660
E-Mail: dws@r-c-s-inc.com
Telephone: (503) 232-6155
Facsimile: (360) 737-7628

3. ICNU is an incorporated, non-profit association of large industrial electric customers in the Pacific Northwest, with offices in Portland, Oregon. A list of ICNU members is included as Attachment A. Many of ICNU's members are customers of PacifiCorp, as shown on Attachment A. Some of ICNU's members have cogeneration facilities and operate as qualifying facilities ("QF").

4. On June 27, 2011, PacifiCorp (or the "Company") filed Advice No. 11-011, which proposed revisions to the Company's Oregon Tariff Schedule 37 – Avoided Cost Purchases from Qualifying Facilities of 10,000 kW or Less ("Advice Filing") to be effective July 27, 2011. On September 6, 2011, the Oregon Public Utility Commission ("OPUC," or the "Commission") issued an order to suspend the Advice Filing for a six-month investigation, effective August 18, 2011. ICNU has a substantial interest in the outcome of the Commission's investigation, because it could result in increased costs for QFs. Changes in Schedule 37 could also impact the rates paid by ICNU's members. Thus, this proceeding could directly affect those of ICNU's members who purchase power from, or sell power as QFs to, PacifiCorp.

5. ICNU has participated in numerous other proceedings that affected PacifiCorp's rates, including its avoided cost rates and other QF issues. ICNU's intervention in this proceeding will assist the Commission in resolving the issues and will not unreasonably broaden the issues, burden the record, or delay this proceeding.

6. As described above, ICNU has a direct and substantial interest in this proceeding that will not be adequately represented by any other party, and may be affected by any Commission determination made in connection with these proceedings. It is in the public interest to allow ICNU to intervene in this proceeding.

PAGE 2 – PETITION TO INTERVENE OF ICNU

WHEREFORE, ICNU respectfully requests that the Commission grant its petition
to intervene with full-party status in this proceeding.

Dated this 12th day of September, 2011.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ Irion A. Sanger

Irion A. Sanger

333 S.W. Taylor, Suite 400

Portland, Oregon 97204

(503) 241-7242 phone

(503) 241-8160 facsimile

ias@dvclaw.com

Of Attorneys for Industrial Customers
of Northwest Utilities

ATTACHMENT A
INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES

Air Liquide
Air Products
Amcor PET Packaging USA, Inc.
Certain Teed Gypsum & Ceiling Manufacturing (BPB)
Blue Heron Paper Company
Boeing
*Boise Cascade LLC
*Boise Paper
*ConAgra Foods
Dyno Nobel, Inc.
Eka Chemicals, Inc.
Emerald Kalama Chemical, LLC
Equa-Chlor, LLC
Evraz, Inc.
*Freres Lumber Co.
*Georgia-Pacific
Grays Harbor Paper, L.P.
Inland Empire Paper Co.
Intel
Kimberly-Clark Corporation
Linde, Inc.
Longview Fibre
Microsoft Corporation
*Norpac Foods
PCC Structurals, Inc.
REC Solar Grade Silicon LLC
SP Newsprint
Shell Oil Products US
Simpson Paper & Timber
Tesoro Refining and Marketing Co.
*Wah Chang
West Linn Paper Company
*Weyerhaeuser

**Denotes PacifiCorp Customers*