

Davison Van Cleve PC

Attorneys at Law

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

November 8, 2016

Via Electronic Filing and Federal Express

Public Utility Commission of Oregon
Attn: Filing Center
201 High St. SE, Suite 100
Salem OR 97301

Re: In the Matter of PORTLAND GENERAL ELECTRIC CO.
2017 Annual Power Cost Update Tariff
Docket No. UE 308

Dear Filing Center:

Enclosed please find the Revised Request for Final Payment and Reallocation of Issue Fund Grant and Confidential Exhibit A on behalf of the Industrial Customers of Northwest Utilities ("ICNU"). Please note that ICNU's original Request for Final Payment in this Docket, which was filed on November 2, 2016, contained a calculation error. The attached filing corrects the error and increases ICNU's request from \$30,224 to \$32,494.98, and reallocates the unused portion of ICNU's UE 308 Issue Fund Grant to Docket No. LC 66.

Pursuant to Section 7.3 of the Intervenor Funding Agreement, Confidential Exhibit A is being submitted in a separate sealed envelope to the Commission and Portland General Electric.

Thank you for your assistance. If you have any questions, please do not hesitate to contact our office.

Sincerely,

/s/ Jesse O. Gorsuch
Jesse O. Gorsuch

Enclosures
cc: Jay Tinker

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 308

In the Matter of)	
)	
PORTLAND GENERAL ELECTRIC)	REVISED REQUEST FOR FINAL
COMPANY)	PAYMENT AND REALLOCATION
)	OF ISSUE FUND GRANT OF THE
2017 Annual Power Cost Update Tariff)	INDUSTRIAL CUSTOMERS OF
_____)	NORTHWEST UTILITIES

Pursuant to Section 7.3 of the Third Amended and Restated Intervenor Funding Agreement (“IFA”) approved by the Oregon Public Utility Commission (“Commission”) by Order No. 15-335 (October 20, 2015), the Industrial Customers of Northwest Utilities (“ICNU”) hereby requests final payment of ICNU’s Issue Fund Grant in Docket No. UE 308 in the amount of \$32,494.98.

On May 18, 2016, ICNU filed a Request for Issue Fund Grant and Proposed Budget in Docket No. UE 308, showing eligible expenses in the amount of \$37,780 and requesting an Issue Fund Grant in the amount of \$30,224. On May 24, 2016, the Commission issued Order No. 16-201, approving an Issue Fund Grant for ICNU in the amount of \$30,224. ICNU filed a request to amend its proposed budget on August 15, 2016, showing eligible expenses in the amount of \$47,576.29 and requesting a revised Issue Fund Grant in the amount of \$38,061.03. The Commission approved ICNU’s request on August 18, 2016, by Order No. 16-315. ICNU filed a Request for Final Payment of Issue Fund Grant in this docket on November 2, 2016, seeking \$30,224 in eligible expenses.

ICNU files this Revised Request for Final Payment and Reallocation of Issue Fund Grant to account for the Commission's Order No. 16-315 approving ICNU's amended Issue Fund Grant request of \$38,061.03. ICNU therefore requests that the Commission authorize final payment of the approved Issue Fund Grant in Docket No. UE 308 in the amount of \$32,494.98 from the 2016 PGE Issue Fund. As described below, ICNU requests that the unused portion of its UE 308 Issue Fund Grant be reallocated to Docket No. LC 66 for use in that proceeding.

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 an active participant in this Docket. ICNU has conducted discovery, participated in settlement conferences, filed testimony, attended the evidentiary hearing and conducted cross-examination, filed two briefs, and entered into a settlement stipulation. The expenses included in Confidential Exhibit A are reasonable and directly attributable to ICNU's participation in UE 308.

Section 7.3(c) – The Commission approved ICNU's proposed budget on May 24, 2016, and approved ICNU's amended proposed budget on August 18, 2016. 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 7.3(d) - This Request for Payment constitutes a Final Request for Payment in this Docket.

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 “[t]he terms of an [intervenor funding] agreement are binding on all organizations seeking a grant under that agreement and will be followed by the Commission in administering the agreement.” OAR § 860-001-0120(2). ICNU has satisfied the terms of the IFA and respectfully requests that the Commission approve final payment of ICNU’s Issue Fund Grant in the amount of \$32,494.98 from the 2016 PGE Issue Fund within 30 days of receiving this Request for Final Payment, as provided in Section 7.6 of the IFA.

Pursuant to Section 6.7 of the IFA, ICNU respectfully requests that the Commission reallocate the remaining \$5,566.05 of the Issue Fund Grant in this proceeding to Docket No. LC 66. Concurrently with this Request, ICNU is filing its Request for Issue Fund Grant and Proposed Budget in Docket No. LC 66.

Upon payment of this Request for Final Payment and Reallocation of Issue Fund Grant, the balance of the UE 308 Issue Fund Grant will be zero, and the balance of ICNU’s Request for Issue Fund Grant and Proposed Budget in Docket No. LC 66 will be \$26,566.05.^{1/}

Payment should be sent to:

Industrial Customers of Northwest Utilities
c/o S. Bradley Van Cleve
Davison Van Cleve, P.C.
333 SW Taylor, Suite 400
Portland, OR 97204

^{1/} This amount assumes the Commission also grants ICNU’s Request for Issue Fund Grant and Proposed Budget in Docket No. LC 66.

Dated this 8th day of November, 2016.

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)

bvc@dvclaw.com

Of Attorneys for Industrial Customers
of Northwest Utilities