

Davison Van Cleve PC

Attorneys at Law

TEL (503) 241-7242 • FAX (503) 241-8160 • tcp@dvclaw.com
Suite 450
1750 SW Harbor Way
Portland, OR 97201

October 12, 2018

Hon. Michael Grant
Chief Administrative Law Judge
Public Utility Commission of Oregon
201 High St. SE, Suite 100
Salem, OR 97301

Etta Lockey
PacifiCorp
825 NE Multnomah St, Suite 2000
Portland, OR 97232

RE: AWEC Revised Request for Payment of 2018 Preauthorized Matching Grant,
PacifiCorp Account, Docket No. UM 1929

Dear Hon. Judge Grant and Ms. Lockey:

The Alliance of Western Energy Consumers (“AWEC”) files this revised request for payment in the amount of \$35,145.21 of its 2018 Preauthorized Matching Fund Grant from PacifiCorp’s Preauthorized Matching Fund Account. Following discussions with the Commission, AWEC has withdrawn its expenses incurred in the SB 978 process and has updated its request accordingly.

This request for payment is filed pursuant to Section 7.2 of the Fourth Amended and Restated Intervenor Funding Agreement (“IFA”), approved by the Oregon Public Utility Commission (“Commission”) by Order No. 18-017 (January 17, 2018). The Commission’s rules provide that the terms of a Commission-approved intervenor funding agreement will be binding on all organizations seeking a grant under the agreement and will be followed by the Commission in administering the agreement. OAR § 860-001-0120(2).

AWEC meets all of the criteria for payment of a Preauthorized Matching Grant from the PacifiCorp Preauthorized Matching Fund Account, as demonstrated by the following:

1. The current balance in PacifiCorp's Preauthorized Matching Fund Account for use by AWEC for 2018 is \$138,863.00.^{1/} Under the IFA, PacifiCorp has made available an Annual Grant Amount of \$72,738, which is added to PacifiCorp's Preauthorized Matching Fund Account each calendar year during the term of the IFA. IFA at § 4.2. Prior to this filing, AWEC has not made a Request for Payment for a Preauthorized Matching Grant for Eligible Expenses incurred in 2018. AWEC does intend to file another Request for Payment for a Preauthorized Matching Grant by April 1, 2019, for additional eligible expenses incurred in 2018 that are not covered by this request. IFA at § 7.2. Funds from PacifiCorp's Preauthorized Matching Fund Account are available for use exclusively by AWEC. IFA at § 4.2.2.

2. A Preauthorized Matching Fund Grant from the PacifiCorp Account must be used solely to pay Eligible Expenses for Eligible Proceedings involving PacifiCorp. IFA at § 4.2.2. Each of the proceedings listed in Confidential Exhibit A is an Eligible Proceeding involving PacifiCorp. The amounts included in this request are in excess of any amounts included in requests for Issue Fund payments, including AWEC's 20% Issue Fund matching contribution. Accordingly, AWEC requests final payment of the Preauthorized Matching Grant for the expenses listed in Confidential Exhibit A, attached, which are Eligible Expenses under Section 7.4 of the IFA. Confidential Exhibit A is confidential pursuant to Section 7.2 of the IFA and is subject to the General Protective Order in Docket No. UM 1357 (Order No. 09-119).

3. A Preauthorized Matching Grant may be provided only if AWEC demonstrates that it has used in-house resources or outside funding for at least 35% of the Eligible Expenses for an Eligible Proceeding. IFA at § 7.2. As shown in Confidential Exhibit A, AWEC has used in-house resources and outside funding for at least 35% of the Eligible Expenses for the Eligible Proceedings listed in Confidential Exhibit A.

4. Section 4.2.2 of the original IFA required that AWEC become precertified (in accordance with Section 5.2 of the original IFA) within one year of the effective date of the original IFA in order to be eligible to receive a Preauthorized Matching Grant. AWEC became precertified as eligible to receive intervenor funding grants under Section 5.2 of the original IFA pursuant to Order No. 03-502, entered by the Commission on August 21, 2003.^{2/}

Having demonstrated that it meets all of the criteria and conditions for such request, AWEC requests final payment of the Preauthorized Matching Grant from PacifiCorp's Preauthorized Matching Fund Account in the amount of \$35,145.21. AWEC requests that the

^{1/} The Commission's current Intervenor Funding Summary lists an uncommitted 2018 PacifiCorp Matching Fund balance in the amount of \$139,863.00, though AWEC believes this exceeds the authorized amount by \$1,000 and is a simple calculation error.
https://www.puc.state.or.us/Pages/admin_hearings/intervenor_funding.aspx

^{2/} AWEC was originally precertified as the Industrial Customers of Northwest Utilities ("ICNU"). Under the Fourth Amended IFA, ICNU is defined to include "any successor organization, provided that the organization continues to meet the requirements for precertification"

Revised Request for Payment of a Preauthorized Matching Grant
October 12, 2018
Page 3

Commission grant this request within 30 days of receipt and order PacifiCorp to pay AWEC the amount of \$35,145.21 within 30 days after receipt of the Commission directive, in accordance with Section 7.2 of the IFA. AWEC requests that the Commission treat Exhibit A as confidential.

Payment should be sent to:

Alliance of Western Energy Consumers
c/o Tyler C. Pepple
Davison Van Cleve, P.C.
1750 SW Harbor Way, Suite 450
Portland, OR 97201

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions.

Sincerely yours,

/s/ Tyler C. Pepple
Tyler C. Pepple

Enclosure
cc: AWEC