

ORDER NO. 15 231

ENTERED AUG 06 2015

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1712

In the Matter of

PACIFICORP, dba PACIFIC POWER

Application for Approval of Deer Creek  
Mine Transaction.

ORDER

**DISPOSITION: ISSUE FUND GRANT REQUEST APPROVED**

On August 4, 2015, the Industrial Customers of Northwest Utilities (ICNU) filed a Request for Final Payment from the PacifiCorp, dba Pacific Power Issue Fund. Section 7.3 of the Second Amended and Restated Intervenor Funding Agreement (Agreement), adopted by the Commission in Order No. 12-452<sup>1</sup>, governs the procedures for payment of Issue Fund Grants. ICNU was precertified to receive Issue Fund Grants on August 21, 2003, in Order No. 03-502.

ICNU asks for a final payment of \$26,700 from the PacifiCorp Issue Fund and states that the remaining balance of the approved budget may be released back to the PacifiCorp Issue Fund. Under the Agreement, the Request for Payment must:

1. Itemize the expenses, payees and hourly rates of amount to be reimbursed;
2. Demonstrate that the expenses are reasonable and are directly attributable to issues and positions pursued on behalf of a particular customer class and consistent with the intervenor's proposed budget;
3. Provide information sufficient to show that the intervenor has complied with any conditions imposed on the Issue Fund Grant; and
4. Specify whether the request for payment is for a progress payment or a final payment and indicate whether any approved budget amount may be released back to the applicable Issue Fund.

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<sup>1</sup> Order No. 12-452 was subsequently supplemented by Order No. 13-317 to include Exhibits A, B, and C.

Further, under the terms of the Agreement, ICNU must establish that it has used in-house resources or outside funding for at least 20 percent of the Eligible Expenses for an Eligible Proceeding. Agreement at 19. ICNU provided the required documentation in its request.

The Agreement provides that the Commission will make a determination in each proceeding as to how the participating utilities are to recover the funding grants from the various customer classes. Section 7.7(b) of the Agreement provides that Issue Fund Grants should be allocated so as to fairly align the costs of the advocacy with the intended potential beneficiaries of the advocacy. Agreement at 21. The Commission has considered the intended beneficiaries, and finds that the issue fund expenditures should be allocated to PacifiCorp's industrial customers.

We find that ICNU has met the requirements of the Agreement, and its request should be approved. Section 7.8 of the Agreement provides that the utility must pay the Issue Fund Grant to the requesting intervenor within 30 days after receipt of the Commission directive. The balance of the approved budget should be made available to the PacifiCorp Issue Fund.

### ORDER

IT IS ORDERED that:

1. The Industrial Customers of Northwest Utilities has met the requirements of the Second Amended and Restated Intervenor Funding Agreement, and its request is approved.
2. PacifiCorp, dba Pacific Power pay \$26,700 from the PacifiCorp Issue Fund to the Industrial Customers of Northwest Utilities within 30 days after receipt of this order, and the grant be assessed to PacifiCorp's industrial customers.

Made, entered, and effective AUG 06 2015.



A handwritten signature in black ink, appearing to read "Michael Grant", is written over a horizontal line.

**Michael Grant**  
Chief Administrative Law Judge  
Administrative Hearings Division