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October 2, 2006

## *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 the Adoption of Rules Implementing SB 408 Relating to  
Matching Utility Taxes Paid with Taxes Collected  
**Docket Nos. AR 498/AR 499**

Dear Filing Center:

Enclosed please find the Request for Payment of Issue Fund Grant of the Industrial Customers of Northwest Utilities in the above-captioned Dockets. Please note that Attachment A to the Request has been designated confidential and will only be provided to the Commission.

For brevity and confidentiality purposes, only the amounts up to the end of the month during which ICNU's expenses surpassed the approved budget are shown in Confidential Attachment A, even though ICNU continued to incur expenses after the dates shown.

Thank you for your assistance.

Sincerely yours,

/s/ Christian Griffen  
Christian W. Griffen

Enclosures

cc: Service List

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served a copy of the foregoing Request for Payment of the Industrial Customers of Northwest Utilities upon the parties on the official service lists for AR 498 and AR 499 by causing the same to be electronically served, to those parties with an email address, as well as mailed, postage-prepaid, through the U.S. Mail.

Dated at Portland, Oregon, this 2nd day of October, 2006.

/s/ Christian Griffen  
Christian W. Griffen

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**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**AR 498/AR 499**

In the Matters of	)	
	)	
The Adoption of Temporary Rules Implementing SB 408, Relating to Matching Utility Taxes Paid with Taxes Collected (AR 498),	)	REQUEST FOR PAYMENT OF ISSUE FUND GRANT OF THE INDUSTRIAL CUSTOMERS OF NORTHWEST
and	)	UTILITIES
	)	
The Adoption of Permanent Rules Implementing SB 408, Relating to Matching Utility Taxes Paid with Taxes Collected (AR 499).	)	
_____	)	

Pursuant to Section 7.3 of the Intervenor Funding Agreement (“IFA”) adopted by the Oregon Public Utility Commission (“Commission”) on July 2, 2003 (Order No. 03-388), the Industrial Customers of Northwest Utilities (“ICNU”) hereby requests payment of ICNU’s Issue Fund Grant in Docket Nos. AR 498/AR 499 in the amount of \$18,025.

On October 21, 2005, ICNU filed a Notice of Intent to Request an Issue Fund Grant in this docket. On November 11, 2006, ICNU filed a proposed budget in the amount of \$36,050 to be evenly split between PGE’s and PacifiCorp’s Issue Fund Accounts. Due to the lack of funds in the PacifiCorp account, ICNU proposed to only request recovery of the half of the budget that was attributed to PGE’s account. Accepting that condition, the Commission approved an Issue Fund Grant for ICNU in the amount of \$36,050 on November 21, 2006.

Re Adoption of Rules Implementing SB 408, OPUC Docket Nos. AR 498/AR 499, Order No. 05-1224 (Nov. 21, 2006).

ICNU hereby requests that the Commission authorize payment of the budget in the amount of \$18,025 from PGE's Issue Fund Account. ICNU will bear the other half of the budget that was attributed to PacifiCorp's account. ICNU has expended an amount that exceeds the full approved budget in this proceeding. For brevity and confidentiality purposes, only the amounts up to the end of the month during which ICNU's expenses surpassed the approved budget are shown in Confidential Attachment A, even though ICNU continued to incur expenses after the dates shown.

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 was a full and active participant in this Docket. ICNU conducted extensive discovery, submitted direct testimony, filed opening comments, participated in settlement workshops and discussions, drafted provisions for a stipulation to resolve all issues in this Docket, and submitted testimony and a brief in support of the stipulation. The expenses included in Confidential Exhibit A are reasonable and directly attributable to ICNU's participation in UM 1209.

**Section 7.3(c)** – ICNU's Issue Fund Grant was not subject to any conditions.

**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 “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). ICNU has satisfied the terms of the IFA and respectfully requests that the Commission approve payment of ICNU’s Issue Fund Grant attributed to PGE’s Issue Fund Account in the amount of \$18,025 within 30 days of receiving this Request for Payment as provided in Section 7.6 of the IFA.

Payment should be sent to:

Michael Early  
Industrial Customers of Northwest Utilities  
333 S.W. Taylor, Suite 400  
Portland, Oregon 97204

Dated this 2nd day of October, 2006.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

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