

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 263**

In the Matter of	)	
	)	
PACIFICORP	)	REQUEST FOR FINAL PAYMENT OF
	)	ISSUE FUND GRANT OF THE
2013 Request for a General Rate Revision	)	INDUSTRIAL CUSTOMERS OF
_____	)	NORTHWEST UTILITIES
	)	

Pursuant to Section 7.3 of the Second Amended and Restated Intervenor Funding Agreement (“IFA”) approved by the Oregon Public Utility Commission (“Commission”) by Order No. 12-452 (November 7, 2012), the Industrial Customers of Northwest Utilities (“ICNU”) hereby requests final payment of ICNU’s Issue Fund Grant in Docket No. UE 263 in the amount of \$28,352.19.

On May 15, 2013, ICNU filed a Proposed Budget for an Issue Fund Grant in Docket No. UE 263 in the amount of \$30,000. On May 23, 2013, the Commission approved an Issue Fund Grant for ICNU in the amount of \$30,000. At this time, ICNU requests final payment of the approved Issue Fund Grant in Docket No. UE 263. As described below, ICNU requests that the unused portion of the Issue Fund Grant in this Docket be reallocated to Docket No. UE 264.

ICNU hereby requests that the Commission authorize final payment of the Issue Fund Grant in the amount of \$28,352.19. 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, attended workshops, participated in settlement meetings, and filed testimony in support of a stipulation resolving the case. The expenses included in Confidential Exhibit A are reasonable and directly attributable to ICNU’s participation in UE 263.

**Section 7.3(c)** – The Commission approved ICNU’s proposed budget on May 23, 2013. 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 Request for Final 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 \$28,352.19 within 30 days of receiving this Request for Final Payment as provided in Section 7.6 of the IFA.

ICNU hereby requests pursuant to Section 6.7 of the Second Amended and Restated Intervenor Funding Agreement that the Commission reallocate the remaining \$1,647.81 of the Issue Fund Grant in this proceeding for use by ICNU in Docket No. UE 264; therefore, the remainder of the Approved Issue Fund Grant should not be released for return to the PacifiCorp Issue Fund. ICNU requests that unused funds in the amount of \$1,647.81 be reallocated from this Docket to UE 264. Section 6.7 of the IFA provides:

An intervenor with approved proposed budgets in multiple dockets may request to reallocate approved amounts between dockets by filing a request in both dockets. Such a request must identify the previously approved proposed budget amounts, the proposed budget amounts for each docket after reallocation of funds, and explain the purpose for the requested reallocation.

UE 263 is a general rate case to establish PacifiCorp's rates, and UE 264 is a power cost case to establish the power cost component of PacifiCorp's rates. ICNU received an Issue Fund Grant in UE 263 in the amount of \$30,000 and in UE 264 in the amount of \$28,601. ICNU is submitting this final payment request in UE 263 in the amount of \$28,352.19, resulting in an unused amount of \$1,647.81. Since UE 263 and UE 264 involve similar issues and the same utility, reallocation of the funds from UE 263 to UE 264 is appropriate. In addition, UE 263 resulted in a settlement and UE 264 did not. As a result, the Eligible Expenses in UE 264 will exceed the approved Issue Fund Grant. Upon reallocation and payment of this Request for Final Payment, the balance in the UE 263 Issue Fund will be zero, and the balance in the UE 264 Issue Fund will be \$30,248.81.

Payment should be sent to:

Industrial Customers of Northwest Utilities  
818 SW 3<sup>rd</sup> Ave, Suite 266  
Portland, Oregon 97204

Dated this 2nd day of October, 2013.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ S. Bradley Van Cleve

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October 2, 2013

*Via Electronic Mail and Federal Express*

Public Utility Commission of Oregon  
Attn: Filing Center  
3930 Fairview Industrial Drive SE  
Salem OR 97308

Re: In the Matter of PACIFICORP 2013 Request for a General Rate Revision  
**Docket No. UE 263**

Dear Filing Center:

Enclosed please find the original and one (1) copy of the Request for Final Payment of Issue Fund Grant and Confidential Exhibit A on behalf of the Industrial Customers of Northwest Utilities. 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 PacifiCorp.

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

Sincerely,

/s/ Jesse Gorsuch  
Jesse Gorsuch

Enclosures

cc: Service List

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the Request for Final Payment of Issue Fund Grant on behalf of the Industrial Customers of Northwest Utilities upon all parties in this proceeding, as shown below, by causing a copy thereof to be sent via electronic mail to each party's last-known e-mail address, as all parties have waived paper service

Dated at Portland, Oregon, this 2nd day of October, 2013.

/s/ Jesse Gorsuch

Jesse Gorsuch

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