

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UM 1719**

In the Matter of	)	
	)	
PUBLIC UTILITY COMMISSION OF OREGON	)	NOTICE OF INTENT TO REQUEST AN ISSUE FUND GRANT AND PROPOSED BUDGET OF THE INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES
Investigation to Explore Issues Related to a Renewable Generator’s Contribution to Capacity.	)	
_____	)	

The Industrial Customers of Northwest Utilities (“ICNU”) files this Notice of Intent to Request an Issue Fund Grant and Proposed Budget in Docket No. UM 1719, pursuant to OAR § 860-001-0120 and the Second Amended and Restated Intervenor Funding Agreement (“IFA”), approved by the Oregon Public Utility Commission (“Commission”) in Order No. 12-452 (November 7, 2012).

1. At its March 10, 2015 public meeting, the Commission opened an investigation into methodologies for determining a renewable generator’s contribution to capacity. The Commission docketed the investigation as Docket No. UM 1719.

2. UM 1719 is an Eligible Proceeding under the IFA. The IFA defines an Eligible Proceeding as “any Commission proceeding that directly affects one or more of the Participating Public Utilities.” IFA, Section 1(c). UM 1719 will directly affect Portland General Electric Company (“PGE”) and PacifiCorp, which are Participating Public Utilities under Section 1(k) of the IFA. Therefore, an Issue Fund Grant may be made for this proceeding under Section 6.1 the IFA.

3. ICNU respectfully requests a waiver of the requirement in Section 6.2 of the IFA that it file this Notice of Intent at the time ICNU requested intervention in UM 1719. ICNU intervened in this Docket on March 31, 2015. At that time, the scope and process of this proceeding were unclear. The Administrative Law Judge's ("ALJ") initial Prehearing Conference Memorandum in this Docket indicates that, when this proceeding was commenced, the parties had agreed to only one procedural event, a Commission workshop with third-party experts. That workshop was held on August 17, 2015. Following this workshop, the Commission held a second prehearing conference, on September 9, 2015, at which the parties agreed to hold a full contested case proceeding, with testimony, a hearing, and briefing. Accordingly, the scope of this proceeding has grown substantially since ICNU first requested intervention, and will require ICNU to invest additional time and resources that were not originally foreseen. ICNU is filing its Proposed Budget in this proceeding within 30 days of the September 9, 2015 prehearing conference, as required by Section 6.3 of the IFA.

4. As required by Section 6.2 of the IFA, this Notice of Intent is being served on each affected Participating Public Utility, all precertified organizations, and all parties identified on the service list from UM 1719.

5. ICNU identifies the PGE and PacifiCorp Issue Fund Accounts as the accounts from which ICNU intends to request the Issue Fund Grant. Pursuant to Section 4.4 of the IFA, ICNU requests that the Issue Fund Grant be drawn from the 2016 PGE and 2016 PacifiCorp Issue Funds, as the procedural schedule adopted by the ALJ in this Docket demonstrates that the proceeding will continue well into 2016, and remaining funds for 2015 are inadequate.

6. ICNU has been precertified under Sections 5.1 and 5.2 of the IFA and OAR § 860-001-0120(3)(b), as eligible to receive an Issue Fund Grant, by Commission Order No. 03-502, which was entered on August 21, 2003.

7. Pursuant to Section 6.3 of the IFA, ICNU files this Proposed Budget in Docket No. UM 1719 (the “Proceeding”) for an Issue Fund Grant in the amount of \$28,000. ICNU will bear all of its costs in this proceeding that exceed ICNU’s proposed budget. ICNU proposes that this grant be funded from the 2016 PGE and 2016 PacifiCorp Issue Fund Accounts. ICNU respectfully requests that the Commission act on this Proposed Budget within fourteen days of receipt, as provided in Section 6.4 of the IFA. The following information is provided in accordance with Section 6.3 of the IFA:

**(a) Statement of the work to be performed by ICNU for which ICNU is seeking the Issue Fund Grant:**

ICNU has retained Davison Van Cleve, P.C. to represent ICNU in UM 1719. ICNU will attend all settlement conferences, workshops, and hearings in UM 1719. ICNU also will submit expert witness testimony and briefs as called for by the procedural schedule in this Docket, and will conduct discovery, as necessary.

**(b) Description of the areas to be investigated by ICNU:**

ICNU intends to examine several aspects of the Commission’s investigation in this Docket, including the level of contribution to peak capacity of renewable resources; the risks and benefits of using a standardized method of calculating a renewable generator’s contribution to capacity; the merits and drawbacks of current approaches used by Oregon utilities to determine this contribution; and other issues raised by Commission Staff, the utilities, and other parties to this Docket.

**(c) Description of the particular customer class or classes that will benefit from the intervenor's participation:**

ICNU's participation will directly benefit industrial customers, as well as all other large non-residential customers of PacifiCorp and PGE.

**(d) Identification of the specific Fund account from which ICNU is seeking the Issue Fund Grant and Available Funds:**

ICNU proposes a total budget of \$35,000 and is seeking an Issue Fund Grant in the amount of \$28,000, with \$14,000 to be drawn from the 2016 PGE Issue Fund and \$14,000 from the 2016 PacifiCorp Issue Fund. ICNU will bear the costs of its participation to the extent that its costs exceed the proposed budget. However, in the event the Commission elects to modify the scope of this proceeding, ICNU reserves the right to file a request to amend its budget.

ICNU estimates that the amounts currently available in the 2016 PGE and 2016 PacifiCorp Issue Fund Accounts are \$143,802.81 and \$143,750, respectively.

**(e) Budget showing estimated attorney and consultant fees and expert witness fees:**

Attached as Exhibit A is ICNU's proposed budget in UM 1719.

**(f) Matching Funds**

As required by Section 6.3(f) of the IFA, ICNU represents that it will use matching fund resources in the form of either in-house resources or outside funding to account for or pay at least 20% of the Eligible Expenses for which ICNU is seeking an Issue Fund Grant. As such, ICNU seeks an issue fund grant for 80% of its proposed budget in this proceeding. ICNU's proposed budget assumes a fully litigated case. If the case is settled prior to hearing, actual expenses could be lower.

### **Basis for Request**

ICNU respectfully requests that the Commission grant its request for this Issue Fund Grant in the amount of \$28,000 based on the following considerations:

1. In this proceeding, the Commission will explore several issues related to a renewable generator's contribution to peak-load capacity. Any determination made by the Commission in this proceeding may substantially impact the rates of ICNU members who are served by PGE and PacifiCorp.

2. ICNU represents the interests of industrial customers and has significant experience participating in Commission proceedings involving PGE and PacifiCorp. ICNU's participation will benefit all of PGE's and PacifiCorp's industrial and large non-residential customers.

3. ICNU has been precertified under Sections 5.1 and 5.2 of the IFA and OAR § 860-001-0120(3)(b), as eligible to receive an Issue Fund Grant, by Commission Order No. 03-502, which was entered on August 21, 2003.

Therefore, ICNU respectfully requests that the Commission issue an order granting an Issue Fund Grant in the amount specified above.

Dated this 9th day of October, 2015.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

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Of Attorneys for Industrial Customers  
of Northwest Utilities

UM 1719

Exhibit A

ICNU Proposed Budget for Issue Fund Grant

Personnel	Hours	Rate	Cost
<i>Attorney Fees</i>			
Senior Attorney	28	\$295	\$8,260
Associate Attorney	42	\$265	\$11,130
Paralegal	10	\$170	\$1,700
<i>Expert Witness Fees</i>			
Expert 1	90	\$150	\$13,500
<i>Other Expenses</i>			
Travel			\$210
Printing and Postage			\$200
Subtotal			\$35,000
20% of ICNU Funded Expenditures			\$7,000
<b>Total ICNU PacifiCorp Issue Fund Grant Proposed Budget</b>			<b>\$14,000</b>
<b>Total ICNU PGE Issue Fund Grant Proposed Budget</b>			<b>\$14,000</b>
<b>Total ICNU Issue Fund Request</b>			<b>\$28,000</b>