

Davison Van Cleve PC

Attorneys at Law

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

April 9, 2019

Via Electronic Filing

Public Utility Commission of Oregon
Attn: Filing Center
201 High St. SE, Suite 100
Salem OR 97301

Re: In the Matter of PORTLAND GENERAL ELECTRIC COMPANY,
Advice No. 19-02 (ADV 919) New Load Direct Access Program
Docket No. UE 358

Dear Filing Center:

Please find enclosed the Alliance of Western Energy Consumers' *Notice of Intent to Request Issue Fund Grant* and *Request for Issue Fund Grant and Proposed Budget* in the above-referenced docket.

Thank you for your assistance. If you have any questions, please do not hesitate to call.

Sincerely,

/s/ Jesse O. Gorsuch
Jesse O. Gorsuch

Enclosure

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 358

In the Matter of)	NOTICE OF INTENT TO REQUEST
)	ISSUE FUND GRANT and REQUEST
PORTLAND GENERAL ELECTRIC)	FOR ISSUE FUND GRANT AND
COMPANY,)	PROPOSED BUDGET OF THE
)	ALLIANCE OF WESTERN ENERGY
Advice No. 19-02 (ADV 919) New Load Direct)	CONSUMERS
Access Program.)	
_____)	

The Alliance of Western Energy Consumers (“AWEC”) files this Notice of Intent to Request an Issue Fund Grant in Docket No. UE 358, pursuant to OAR § 860-001-0120 and the Fourth Amended and Restated Intervenor Funding Agreement (“IFA”), approved by the Oregon Public Utility Commission (“Commission”) in Order No. 18-020 (January 17, 2018).

1. On March 22, 2019, the Commission adopted the joint recommendation of Commission Staff, AWEC, Calpine Solutions and Portland General Electric Company (“PGE” or the “Company”), whereby the Commission will suspend and investigate the Company’s tariff sheets filed in Advice No. 19-02, and PGE will develop a non-binding queue for customers who wish to enroll in PGE’s New Load Direct Access (“NLDA”) program. The Commission docketed this proceeding as UE 358.

2. As argued in AWEC’s motion that is being filed concurrently with this Notice of Intent, UE 358 is an Eligible Proceeding for Issue Funds under Article 6.1(c) of the IFA. The IFA defines an Eligible Proceeding for Issue Funds as, among other things, any “proceeding ... that directly affects one or more of the Participating Utilities and is anticipated to

have a substantial impact on utility rates or service, a significant impact on utility customers or the operations of the utility, is likely to result in significant change in regulatory policy, or raises novel questions of fact or law.” IFA, Article 1(c). UE 358 will directly affect PGE, which is a Participating Public Utility under Article 1(n) of the IFA, and UE 358 may result in a significant change in regulatory policy and raises novel questions of fact and law. Accordingly, an Issue Fund Grant may be made for this proceeding under Article 6.1 the IFA.

3. As required by Article 6.2 of the IFA, AWEC is filing this Notice of Intent at the time it files its Petition to Intervene this Docket.

4. As required by Article 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 for UE 358.

5. AWEC identifies the PGE Issue Fund Account as the account from which AWEC intends to request the Issue Fund Grant.

6. AWEC has been precertified under Articles 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 Article 6.3 of the IFA, AWEC files this Proposed Budget in Docket No. UE 358 (the “Proceeding”) for an Issue Fund Grant in the amount of \$22,000. If additional PGE Issue Funds become available, AWEC reserves the right to file an amended proposed budget and request an additional Issue Fund Grant. AWEC respectfully requests that the Commission act on this Proposed Budget within fourteen days of receipt, as provided in

Article 6.4 of the IFA. The following information is provided in accordance with Article 6.3 of the IFA:

(1) Statement of the work to be performed by AWEC for which AWEC is seeking the Issue Fund Grant:

AWEC has retained Davison Van Cleve, P.C. to represent it in UE 358. AWEC will attend all clarifying sessions, workshops, public meetings, and oral presentations. In addition, AWEC will attend all hearings in UE 358, conduct discovery, and submit expert witness testimony and briefs if called for by the procedural schedule in this Docket.

(2) Description of the areas to be investigated by AWEC:

AWEC intends to investigate numerous aspects of PGE's NLDA tariff, including PGE's proposed "resource adequacy charge" and "resource intermittency charge." In addition, AWEC will review any other issues raised by PGE's filing or by other parties.

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

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

(4) Identification of the specific Fund account from which AWEC is seeking the Issue Fund Grant and Available Funds:

AWEC proposes a total budget of \$27,500 and is seeking an Issue Fund Grant in the amount of \$22,000. AWEC estimates that the amount currently available in the PGE Issue Fund Account for 2019 is \$145,122.8.

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

Attached as Exhibit A is AWEC's proposed budget in UE 358.

(6) Matching Funds

As required by Article 6.3(g) of the IFA, AWEC 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 AWEC is seeking an Issue Fund Grant. AWEC's proposed budget assumes a fully litigated case. If the case is settled prior to hearing, actual expenses could be lower.

Basis for Request

AWEC respectfully requests that the Commission grant its request for this Issue Fund Grant in the amount of \$22,000, based on the following considerations:

1. As argued in AWEC's accompanying motion, PGE's proposed NLDA tariff could result in a substantial change to regulatory policy and raises complex and novel questions of fact and law.
2. AWEC represents the interests of large energy consumers and has significant experience participating in Commission proceedings involving the Commission and PGE. In addition, AWEC has participated in numerous previous cases related to setting rates for PGE. Thus, AWEC possesses significant interest and expertise with respect to this proceeding. AWEC's participation will benefit all PGE industrial and large non-residential customers.
3. AWEC has been precertified under Articles 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, AWEC respectfully requests that the Commission issue an order granting an Issue Fund Grant in the amount specified above.

Dated this 9th day of April, 2019.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ Tyler C. Pepple

Tyler C. Pepple

1750 SW Harbor Way, Suite 450

Portland, OR 97201

(503) 241-7242 (phone)

(503) 241-8160 (facsimile)

tcp@dvclaw.com

Of Attorneys for the

Alliance of Western Energy Consumers

UE 358

Exhibit A

AWEC Proposed Budget for Issue Fund Grant

Personnel	Hours	Rate	Cost
<i>Attorney Fees</i>			
Senior Attorney	35	\$280	\$9,800
Attorney	22	\$225	\$4,950
Paralegal	10	\$170	\$1,700
<i>Expert Witness Fees</i>			
Expert	48	\$224	\$10,752
<i>Other Expenses</i>			
Travel			\$250
Printing and Postage			\$48
Subtotal			\$27,500
<hr/>			
20% of AWEC Funded Expenditures			\$5,500
<hr/>			
Total AWEC PGE Issue Fund Grant Proposed Budget			\$22,000
<hr/>			
Total AWEC Issue Fund Request			\$22,000