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April 10, 2009

Via Electronic and U.S. 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 OREGON PUBLIC UTILITY STAFF Requesting the Commission direct PACIFICORP, dba PACIFIC POWER & LIGHT COMPANY, to file tariffs establishing automatic adjustment clauses under the terms of SB 408
Docket No. UE 177

Dear Filing Center:

Enclosed please find the original and one (1) copy of the Notice of Intent to Request an Issue Fund Grant on behalf of the Industrial Customers of Northwest Utilities in the above-referenced matter.

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

Sincerely yours,

/s/ Allison M. Wils
Allison M. Wils

Enclosures

cc: Service List

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Notice of Intent to Request an Issue Fund Grant on behalf of the Industrial Customers of Northwest Utilities upon each affected Participating Public Utility, all precertified organizations, and all parties identified on the service list by causing the same to be deposited in the U.S. Mail, postage-prepaid, where paper service has not been waived.

Dated at Portland, Oregon, this 10th day of April, 2009.

/s/ Allison M. Wils
Allison M. Wils

CITIZENS' UTILITY BOARD OF OREGON (W) ROBERT JENKS G. CATRIONA MCCrackEN GORDON FEIGHNER OPUC DOCKETS 610 SW BROADWAY STE 308 PORTLAND OR 97205 catriona@oregoncub.org Gordon@oregoncub.org bob@oregoncub.org dockets@oregoncub.org	DANIEL W MEEK 10949 SW 4TH AVE PORTLAND OR 97219 dan@meek.net
DEPARTMENT OF JUSTICE JASON W JONES REGULATED UTILITY & BUSINESS SECTION 1162 COURT ST NE SALEM OR 97301-4096 jason.w.jones@state.or.us	KAFOURY & MCDOUGAL LINDA K WILLIAMS 10266 SW LANCASTER RD PORTLAND OR 97219-6305 linda@lindawilliams.net
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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 177

In the Matter of)	
)	
OREGON PUBLIC UTILITY STAFF)	
)	
Requesting the Commission Direct)	
)	
PACIFICORP, dba PACIFIC POWER & LIGHT COMPANY,)	NOTICE OF INTENT TO REQUEST AN ISSUE FUND GRANT OF THE INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES
)	
to File Tariffs Establishing Automatic)	
Adjustment Clauses Under the Terms of)	
<u>SB 408.</u>)	

The Industrial Customers of Northwest Utilities (“ICNU”) files this Notice of Intent to Request an Issue Fund Grant in the second phase of UE 177, pursuant to the First Amended and Restated Intervenor Funding Agreement (“IFA”), approved by the Public Utility Commission of Oregon (“Commission”) in Order No. 07-564 (December 19, 2007).

1. In November 2005, the Commission opened Docket No. UE 177 for the establishment of automatic adjustment clause tariffs, pursuant to Senate Bill 408, concerning PacifiCorp. On October 15, 2007, PacifiCorp filed its 2006 Tax Report in UE 177. ICNU fully participated in review of this report, to the extent permitted under protective order requirements. On April 11, 2008, the Commission issued Order No. 08-201 approving PacifiCorp’s 2006 Tax Report in this Docket.

2. ICNU petitioned for review of Order No. 08-201 in the Oregon Court of Appeals. On March 24, 2009, the Commission filed notice in the Court that it was withdrawing Order No. 08-201 for reconsideration, pursuant to ORS § 183.482(6) and ORAP 4.35. On April 2, 2009, after a telephone conference between the parties, the ALJ issued a Memorandum

establishing a briefing schedule for reconsideration of Order No. 08-201. ICNU is seeking intervenor funding for this unexpected phase of the proceeding.

3. UE 177 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). UE 177 directly affects PacifiCorp, which is a Participating Public Utility under Section 1(k) of the IFA. Therefore, an Issue Fund Grant may be made for this proceeding under Section 6.1 the IFA.

4. Section 6.2 of the IFA requires that a Notice of Intent to Request an Issue Fund Grant be filed at the time an intervenor petitions for intervention “or, for matters that do not involve a formal intervention, at such other time as the Commission designates.” The present matter, with the Commission reconsidering a final order, is one that does “not involve a formal intervention.” ICNU has already intervened in UE 177 and files this Notice of Intent pursuant to the allowance in Section 6.2 of the IFA for filings at other times designated as appropriate by the Commission.

5. As required by IFA Section 6.2, 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 UE 177.

6. ICNU identifies the PacifiCorp Issue Fund Account as the account from which ICNU intends to request the Issue Fund Grant.

7. ICNU has been precertified under Sections 5.1 and 5.2 of the IFA as eligible to receive an Issue Fund Grant.

8. ICNU requests that the Commission establish a deadline by which ICNU must file a proposed budget with respect to the Issue Fund Grant, as provided in Section 6.3 of the IFA.

Dated this 10th day of April, 2009.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ Melinda J. Davison

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Of Attorneys for the Industrial Customers
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