

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UE 177(3)

In the Matter of)	
)	
OREGON PUBLIC UTILITY STAFF)	
)	
Requesting the Commission Direct)	MOTION FOR LEAVE TO FILE OUT OF
)	TIME AND NOTICE OF INTENT TO
PACIFICORP, dba PACIFIC POWER &)	REQUEST AN ISSUE FUND GRANT OF
LIGHT COMPANY)	THE CITIZENS' UTILITY BOARD
)	OF OREGON
to File Tariffs Establishing Automatic)	
Adjustment Clauses Under the Terms of)	
SB 408.)	
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The Citizens Utility Board of Oregon (CUB) files this Motion for Leave to File Out of Time and Notice of Intent to Request an Issue Fund Grant in UG 171(3), pursuant to OAR 860-012-0100 and the First Amended and Restated Intervenor Funding Agreement (IFA), approved by the Oregon Public Utility Commission (Commission) in Order No. 07-576 (December 20, 2007). CUB's Notice is filed out of time due to the absence of its attorney on the filing date – Ms. McCracken was attending the NASUCA conference in Chicago and Mr. Feighner attempted the filing on her behalf but inadvertently omitted to file electronically with the PUC even though service was effected on the other parties. For ease of review CUB repeats the Notice below and includes the additional subsection (3) identifier in the title of this Notice and the body of the document.

UE 177(3) MOTION FOR LEAVE TO FILE OUT OF TIME AND NOTICE OF INTENT TO REQUEST AN ISSUE FUND GRANT OF THE CITIZENS' UTILITY BOARD OF OREGON

1. UE 177(3) 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).
2. 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(3).
3. CUB identifies the 2009 PacifiCorp (Pacific Power) Issue Fund Account as the account from which CUB intends to request the Issue Fund Grant.
4. CUB has been precertified under Section 5.2(a) of the IFA and OAR 860-012-0100(3)(a), as eligible to receive an Issue Fund Grant.
5. If CUB’s Motion for Leave to File Out of Time is granted CUB will file a proposed budget with respect to the Issue Fund Grant, as provided in Section 6.3 of the IFA, by the deadline set in the Prehearing Conference Memorandum.

Dated this 19th day of November, 2009.

Respectfully submitted,



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UE 177(3) MOTION FOR LEAVE TO FILE OUT OF TIME AND NOTICE OF INTENT TO
REQUEST AN ISSUE FUND GRANT OF THE CITIZENS' UTILITY BOARD
OF OREGON

UE 177(3) – CERTIFICATE OF SERVICE

I hereby certify that, on this 19th day of November 2009, I served the foregoing MOTION FOR LEAVE TO FILE OUT OF TIME AND NOTICE OF INTENT TO REQUEST AN ISSUE FUND GRANT OF THE CITIZENS' UTILITY BOARD OF OREGON upon all parties of record in docket UE 177(3), as listed in the PUC Service List, by email and, where paper service is not waived, by U.S. mail, postage prepaid, and upon the Commission by email and by sending an original and 1 copy by U.S. mail, postage prepaid, to the Commission's Salem offices.

(W) denotes waiver of paper service

(C) denotes service of confidential material authorized

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