

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 177

In the Matter of OREGON PUBLIC)
UTILITY COMMISSION STAFF directing:)
PACIFIC POWER & LIGHT dba) REQUEST FOR PAYMENT OF ISSUE
PACIFICORP, (UE 177)) FUND GRANT OF THE INDUSTRIAL
CUSTOMERS OF NORTHWEST
UTILITIES
to File Tariffs Establishing Automatic)
Adjustment Clauses Under the Terms of)
SB 408.)
_____)

Pursuant to Section 7.3 of the First Amended and Restated Intervenor Funding Agreement (“IFA”) approved by the Oregon Public Utility Commission (“Commission”) by Order No. 07-564 (December 19, 2007), the Industrial Customers of Northwest Utilities (“ICNU”) hereby requests payment of ICNU’s Issue Fund Grant in Docket No. UE 177 in the amount of \$26,000.

On November 5, 2007, ICNU filed a Notice of Intent to Request an Issue Fund Grant in this docket. On December 5, 2007, ICNU filed a proposed budget in the amount of \$52,000, to be split evenly between PacifiCorp (UE 177) and Portland General Electric (UE 178). The Commission conditionally approved an Issue Fund Grant for ICNU in the amount of \$18,200 on December 20, 2007. Re PacifiCorp, OPUC Docket No. UE 177, Order No. 07-576 (December 20, 2007). According to Order No. 07-576, ICNU was required to file an additional proposed budget for the remainder of the issue fund grant in Docket No. UE 177. On February 6, 2008, ICNU filed a proposed budget for the remainder of the issue fund grant, and the Commission granted the proposed budget on February 22, 2007. Re PacifiCorp, OPUC Docket

No. UE 177, Order No. 08-127 (February 22, 2007). As a result, ICNU has an approved Issue Fund grant of \$26,000 in this proceeding.

ICNU hereby requests that the Commission authorize payment of the budget in the amount of \$26,000. ICNU has expended an amount that far exceeds the approved budget in this proceeding. 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 was a full and active participant in this Docket. ICNU conducted extensive discovery, submitted direct testimony, participated in settlement workshops and discussions, participated in an evidentiary hearing, and filed legal briefs. The expenses included in Confidential Exhibit A are reasonable and directly attributable to ICNU's participation in UE 177.

Section 7.3(c) – ICNU's Issue Fund Grant was subject to the condition that it file a supplemental proposed budget, which it did in February of 2008. The Commission approved the proposed budget on February 22 of the same year. 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 7.4 – 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 “the terms of an [intervenor funding] agreement will be binding on all organizations seeking a grant under that agreement and will be followed by the Commission in administering the agreement.”

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OAR § 860-012-0100(2). ICNU has satisfied the terms of the IFA and respectfully requests that the Commission approve full payment of ICNU's Issue Fund Grant in the amount of \$26,000 within 30 days of receiving this Request for Payment as provided in Section 7.6 of the IFA. This Request for Payment constitutes a final Request for Payment in this docket.

Payment should be sent to:

Michael Early
Industrial Customers of Northwest Utilities
333 S.W. Taylor, Suite 400
Portland, Oregon 97204

Dated this 11th day of June, 2008.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

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