Davison Van Cleve PC

Attorneys at Law

TEL (503) 241-7242 • FAX (503) 241-8160 • mail@dvclaw.com Suite 400 333 SW Taylor Portland, OR 97204

June 11, 2008

Via Electronic and US Mail

Public Utility Commission Attn: Filing Center 550 Capitol St. NE #215 P.O. Box 2148 Salem OR 97308-2148

> In the Matter of OREGON PUBLIC UTILITY STAFF Requesting the Re:

Commission direct PORTLAND GENERAL ELECTRIC COMPANY to file tariffs establishing automatic adjustment clauses under the terms of SB 408.

Docket No. UE 178

Dear Filing Center:

Enclosed please find the original Request for Payment of the Industrial Customers of Northwest Utilities' in the above-referenced matter.

Thank you for your assistance.

Sincerely yours,

/s/ Brendan. E. Levenick Brendan E. Levenick

Enclosures

Service List cc:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Request for Payment on behalf of the Industrial Customers of Northwest Utilities upon the parties, shown below, on the official service list by causing the foregoing document to be deposited, postage-prepaid, in the U.S. Mail to those parties which have not waived paper service, and service via electronic mail to all parties.

Dated at Portland, Oregon, this 11th day of June, 2008.

/s/ Brendan E. Levenick
Brendan E. Levenick

CITIZENS' UTILITY BOARD OF OREGON (W)
LOWREY R BROWN
JASON EISDORFER
ROBERT JENKS
610 SW BROADWAY STE 308
PORTLAND OR 97205
lowrey@oregoncub.org
jason@oregoncub.org
bob@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

PORTLAND GENERAL ELECTRIC COMPANY DOUGLAS C. TINGEY ASST GENERAL COUNSEL 121 SW SALMON 1WTC13 PORTLAND, OR 97204 doug.tingey@pgn.com PORTLAND GENERAL ELECTRIC COMPANY RATES AND REGULATORY AFFAIRS 121 SW SALMON 1WTC0702 PORTLAND, OR 97204 pge.opuc.filings@pgn.com

(W) = Paper Service Waived

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UE 178

In the Matter of)
)
OREGON PUBLIC UTILITY STAFF) REQUEST FOR PAYMENT OF ISSUE
) FUND GRANT OF THE INDUSTRIAL
Requesting the Commission Direct) CUSTOMERS OF NORTHWEST
) UTILITIES
PORTLAND GENERAL ELECTRIC)
COMPANY	
)
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 178 in the amount of \$18,041.96.

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 approved an Issue Fund Grant for ICNU in the amount of \$26,000 on December 20, 2007. Re PacifiCorp, OPUC Docket No. UE 178, Order No. 07-577 (December 20, 2007). ICNU hereby requests that the Commission authorize payment of the budget in the

PAGE 1 – ICNU'S REQUEST FOR PAYMENT OF ISSUE FUND GRANT

amount of \$18,041.96. ICNU has expended an amount that 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:

<u>Section 7.3(a)</u> – The itemized expenses, payees, and hourly rates are attached as Confidential Exhibit A.

<u>Section 7.3(b)</u> – ICNU was a full and active participant in this Docket. ICNU conducted extensive discovery, participated in settlement workshops and discussions, negotiated a settlement stipulation, and filed legal briefs. The expenses included in Confidential Exhibit A are reasonable and directly attributable to ICNU's participation in UE 178.

<u>Section 7.3(c)</u> – 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."

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 \$18,041.96 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. The remaining amount of the Issue Fund Grant of \$7,958.04 may be released for return to the PGE Issue Fund.

PAGE 2 – ICNU'S REQUEST FOR PAYMENT OF ISSUE FUND GRANT

DAVISON VAN CLEVE, P.C. 333 S.W. Taylor, Suite 400 Portland, OR 97204 Telephone: (503) 241-7242 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.

/s/ S. Bradley Van Cleve
S. Bradley Van Cleve
333 S.W. Taylor, Suite 400
Portland, Oregon 97204
(503) 241-7242 telephone
(503) 241-8160 facsimile
mail@dvclaw.com
Of Attorneys for Industrial Customers
of Northwest Utilities