

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

August 26, 2008

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 PORTLAND GENERAL ELECTRIC COMPANY
Request for Net Variable Power Cost Revision
Docket No. UE 198

Dear Filing Center:

Enclosed please find the original Request for Final Payment of Issue Fund Grant on behalf of the Industrial Customers of Northwest Utilities in the above-referenced docket. Thank you for your attention to this matter.

Sincerely yours,

/s/ Brendan E. Levenick
Brendan E. Levenick

Enclosures
cc: Service List

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing for Final Payment of Issue Fund Grant on behalf of the Industrial Customers of Northwest Utilities upon the parties, 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 26th day of August, 2008.

/s/ Brendan E. Levenick
Brendan E. Levenick

PORTLAND GENERAL ELECTRIC
DOUGLAS C TINGEY
121 SW SALMON 1WTC13
PORTLAND OR 97204
doug.tingey@pgn.com

OREGON DEPARTMENT OF ENERGY
KIP PHEIL
625 MARION ST NE – STE 1
SALEM OR 97301-3737
kip.pheil@state.or.us

BOEHM KURTZ & LOWRY
KURT J BOEHM (C)
MICHAEL L KURTZ
36 E SEVENTH ST - STE 1510
CINCINNATI OH 45202
kboehm@bklawfirm.com
mkurtz@bklawfirm.com

PUBLIC UTILITY COMMISSION
JUDY JOHNSON (C)
PO BOX 2148
SALEM OR 97308-2148
judy.johnson@state.or.us

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

PORTLAND GENERAL ELECTRIC
RATES & REGULATORY AFFAIRS
PATRICK HAGER (C)
121 SW SALMON ST 1WTC0702
PORTLAND OR 97204
pge.opuc.filings@pgn.com

JESSE D. RATCLIFFE (W)
ASSISTANT ATTORNEY GENERAL
1162 COURT ST NE
SALEM OR 97301-4096
jesse.d.ratcliffe@doj.state.or.us

DEPARTMENT OF JUSTICE
STEPHANIE S ANDRUS (C)
JANET L. PREWITT
ASSISTANT ATTORNEY GENERAL
REGULATED UTILITY & BUSINESS SECTION
1162 COURT ST NE
SALEM OR 97301-4096
stephanie.andrus@state.or.us
Janet.prweitt@doj.state.or.us

COMMUNITY ACTION DIRECTORS OF OREGON
JIM ABRAHAMSON (C)
PO BOX 7964
SALEM OR 97301
jim@cado-oregon.org

OREGON ENERGY COORDINATORS ASSOC (W)
JOAN COTE (C)
2585 STATE ST NE
SALEM OR 97301
cotej@mwvcaa.org

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 198

In the Matter of)	
)	
PORTLAND GENERAL ELECTRIC)	REQUEST FOR FINAL PAYMENT OF
COMPANY)	ISSUE FUND GRANT OF THE
)	INDUSTRIAL CUSTOMERS OF
Request for Net Variable Power Cost)	NORTHWEST UTILITIES
Revision)	

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 final payment of ICNU’s Issue Fund Grant in Docket No. UE 198 in the amount of \$23,161.

On February 29, 2008, ICNU filed a Notice of Intent to Request an Issue Fund Grant in Docket No. UE 197. On March 24, 2008, the Administrative Law Judge issued a Joint Prehearing Conference Report, which bifurcated the docket and created UE 198 to address issues related to net variable power costs. On May 29, 2008, ICNU filed a proposed budget in the amount of \$33,680 in Docket No. UE 198. The Commission approved an Issue Fund Grant for ICNU in the amount of \$33,680 on June 9, 2008. Re PGE, OPUC Docket No. UE 198, Order No. 08-312 (June 9, 2008). As a result, ICNU has an approved Issue Fund grant of \$33,680 in this proceeding.

ICNU hereby requests that the Commission authorize final payment of the budget in the amount of \$23,161. 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 discovery, participated in settlement discussions, negotiated a stipulation, and filed an explanatory brief. The expenses included in Confidential Exhibit A are reasonable and directly attributable to ICNU's participation in UE 198.

Section 7.3(c) – The Commission approved the proposed budget on June 9, 2008. 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.” OAR § 860-012-0100(2). ICNU has satisfied the terms of the IFA and respectfully requests that the Commission approve final payment of ICNU's Issue Fund Grant in the amount of \$23,161 within 30 days of receiving this Request for Final Payment as provided in Section 7.6 of the IFA.

PAGE 2 – REQUEST FOR FINAL PAYMENT OF ISSUE FUND GRANT OF ICNU

This Request for Payment constitutes a Final Request for Payment in this docket. ICNU hereby releases the unused portion of its Issue Fund Grant in the amount of \$10,519 for return to the PGE Issue Fund.

Payment should be sent to:

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

Dated this 26th day of August, 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