

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

May 12, 2011

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 PACIFICORP 2012 Transition Adjustment Mechanism
Docket No. UE 227

Dear Filing Center:

Enclosed please find an original of the Proposed Budget 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/ Sarah A. Kohler
Sarah A. Kohler

Enclosures

cc: Service List

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing the Proposed Budget 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, and via electronic mail where paper service has been waived.

Dated at Portland, Oregon, this 12th day of May, 2011

/s/ Sarah A. Kohler
Sarah A. Kohler

(W) PACIFIC POWER & LIGHT
JORDAN A WHITE
SENIOR COUNSEL
1407 W. NORTH TEMPLE, STE 320
SALT LAKE CITY UT 84116
jordan.white@pacificorp.com

(W) PACIFICORP
OREGON DOCKETS
825 NE MULTNOMAH ST STE 2000
PORTLAND OR 97232
oregondockets@pacificorp.com

(W) MCDOWELL & RACKNER PC
KATHERINE A MCDOWELL
520 SW SIXTH AVE - SUITE 830
PORTLAND OR 97204
katherine@mcd-law.com

PUBLIC UTILITY COMMISSION OF OREGON
KELCEY BROWN
PO BOX 2148
SALEM OR 97301
kelcey.brown@state.or.us

(W) CITIZENS' UTILITY BOARD OF OREGON
GORDON FEIGNER
ROBERT JENKS
G. CATRIONA MCCrackEN
610 SW BROADWAY, STE 400
PORTLAND OR 97205
gordon@oregoncub.org
bob@oregoncub.org
catriona@oregon.org

PUBLIC UTILITY COMMISSION
MAURY GALBRAITH
PO BOX 2148
SALEM OR 97301
maury.galbraith@state.or.us

(W) PUC STAFF – DEPARTMENT OF JUSTICE
JASON W JONES
1162 COURT ST NE
SALEM OR 97301-4096
jason.w.jones@state.or.us

(W) INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES
MICHAEL EARLY
1300 SW 5TH AVE, STE 1750
PORTLAND OR 97204-2446
mearly@icnu.org

(W) ENERGY STRATEGIES LLC
KEVIN HIGGINS
214 STATE ST - STE 200
SALT LAKE UT 84111-2322
khiggins@energystrat.com

(W) NOBLE AMERICAS ENERGY SOLUTIONS, LLC
GREG BASS
401 WEST A ST., STE. 500
SAN DIEGO CA 92101
gbass@noblesolutions.com

**(W) REGULATORY & COGENERATION
SERVICES, INC**
DONALD W SCHOENBECK
900 WASHINGTON ST STE 780
VANCOUVER WA 98660-3455
dws@r-c-s-inc.com

(W) RICHARDSON & O'LEARY
GREGORY M ADAMS
PO BOX 7218
BOISE ID 83702
greg@richardsonandoleary.com

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 227

In the Matter of)	
)	PROPOSED BUDGET FOR
PACIFICORP)	ISSUE FUND GRANT OF THE
)	INDUSTRIAL CUSTOMERS OF
2012 Transition Adjustment Mechanism)	NORTHWEST UTILITIES
_____)	

Pursuant to Section 6.3 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”) files this Proposed Budget in UE 227 (the “Proceeding”) for an Issue Fund Grant in the amount of \$4,845. ICNU proposes that this grant be funded from the PacifiCorp Issue Fund Account. ICNU respectfully requests that the Commission act on this Proposed Budget within fourteen days of receipt, as provided by Section 6.4 of the IFA. The following information is provided in accordance with Section 6.3 of the IFA:

(1) Statement of the work to be performed by ICNU for which ICNU is seeking the Issue Fund Grant:

ICNU has retained Davison Van Cleve, P.C. to represent ICNU in UE 227. In UE 227, PacifiCorp filed an application for its 2012 Transition Adjustment Mechanism (“TAM”). 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 227 directly affects PacifiCorp, which falls under the definition of “Participating Public Utility” in Section

1(k) of the IFA. Therefore, UE 227 is an Eligible Proceeding and an Issue Fund Grant may be made for this proceeding under Section 6.1 of the IFA.

ICNU intends to conduct discovery, and attend all clarifying sessions, workshops, settlement conferences and hearings in UE 227. In addition, ICNU intends to sponsor expert witness testimony and prepare briefs, as called for by the procedural schedule in this Proceeding.

(2) Description of the areas to be investigated by ICNU:

ICNU intends to investigate PacifiCorp's proposed 2012 TAM, including its GRID model and assumptions, its power cost figures, the prudence of resource acquisitions, and other issues related to the filing.

(3) Description of the particular customer class or classes that will benefit from ICNU's participation:

ICNU's participation will directly benefit industrial customers who take service from PacifiCorp. In addition, ICNU's investigation regarding the TAM should benefit all of PacifiCorp's customers. ICNU has participated in previous PacifiCorp TAM proceedings, including UE 207 and UE 216. ICNU has also participated in PacifiCorp's two most recent rate cases – UE 210 and UE 217. Thus, ICNU and its members possess significant interest and expertise with respect to issues regarding PacifiCorp's rates and services.

(4) Identification of the specific Fund account from which ICNU is seeking the Issue Fund Grant:

ICNU is seeking an Issue Fund Grant in the amount of \$4,845, from the PacifiCorp Issue Fund Account, established under IFA Section 4.2.3. ICNU has been informed that the amount available in the PacifiCorp Issue Fund Account is \$4,845. ICNU has coordinated with the Citizens' Utility Board ("CUB") regarding this request, and CUB does not

oppose this request. CUB expects to release funds in other cases back to the PacifiCorp Issue Fund, and CUB will seek an Issue Fund Grant in this Proceeding once those funds have been restored. If it later appears that there will be unused funds in the 2011 PacifiCorp Issue Fund Account, ICNU requests approval to file a request to increase the amount of the Issue Fund Grant in this case. ICNU will coordinate with CUB prior to filing such a request.

(5) Budget showing estimated attorney and consultant fees and expert witness fees:

Attached as Exhibit A are ICNU's estimated attorney and consultant fees in UE 227. The Proposed Budget details the expected hours and hourly rates of ICNU's attorneys and experts. The Proposed Budget was developed based on the costs ICNU incurred in previous TAM cases.

(6) Matching Funds

ICNU represents that it will use matching funds in the form of either in-house resources or outside funding to account for or pay at least 20% of the Eligible Expenses for which ICNU is seeking an Issue Fund Grant. In fact, based on the Proposed Budget, ICNU will fund 94% of the cost of its participation in this case.

Basis for Request

ICNU respectfully requests that the Commission grant its request for this Issue Fund Grant in the amount of \$4,845, based on the following considerations:

1. PacifiCorp proposes to increase overall rates by 5.2% and industrial rates by 6-8%. As a result, UE 227 may have a significant and direct impact on PacifiCorp's industrial customers.

2. ICNU plans to thoroughly analyze PacifiCorp's costs included in its 2012 TAM filing. ICNU has filed power cost testimony in other PacifiCorp TAM proceedings, including UE 207 and UE 216.

3. PacifiCorp is seeking a total rate increase in the TAM of about \$61.6 million. The reasonableness and prudence of new resource acquisitions will be reviewed in this proceeding.

4. In addition, ICNU will review other issues including the proper accounting of PacifiCorp's cost associated with its TAM filing.

5. ICNU represents the interests of industrial customers and has significant experience participating in Commission proceedings involving rates and adjustment mechanisms. ICNU's participation will benefit all of PacifiCorp's industrial customers.

6. ICNU has been precertified under Sections 5.1 and 5.2 of the IFA and OAR § 860-001-0120(3)(b), as eligible to receive an Issue Fund Grant, by Commission Order No. 07-576, which was entered on December 20, 2007.

Therefore, ICNU respectfully requests that the Commission issue an order granting an Issue Fund Grant in the amount of \$4,845. ICNU prepared the attached budget on the basis of the schedule adopted in the prehearing conference report, issued in this Docket on April 18, 2011.

Dated this 12th of May, 2011.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/Melinda J. Davison

Melinda J. Davison

Irion Sanger

333 S.W. Taylor, Suite 400

Portland, Oregon 97204

(503) 241-7242 phone

(503) 241-8160 facsimile

mjd@dvclaw.com

ias@dvclaw.com

Of Attorneys for Industrial Customers
of Northwest Utilities

Exhibit A

Proposed Budget of ICNU

UE 227

Exhibit A

ICNU Proposed Budget for Issue Fund Grant

Personnel	Hours	Rate	Cost
<i>Attorney Fees</i>			
Senior Attorney	25	\$225.00	\$5,625
Associate Attorney	140	\$185.00	\$25,900
Paralegal	66	\$125.00	\$8,250
<i>Expert Witness Fees</i>			
Expert 1 (Power Costs)	150	\$225.00	\$33,750
Expert 2	75	\$150	\$11,250
<i>Other Expenses</i>			
Travel			\$800
Printing and Postage			\$500
Subtotal			\$83,075
94% Funded by ICNU			\$78,230
Amount of Request			\$4,845