

Davison Van Cleve PC

Attorneys at Law

TEL (503) 241-7242 • FAX (503) 241-8160 • jog@dvclaw.com
1750 SW Harbor Way, Suite 450
Portland, OR 97201

October 21, 2021

Via Electronic Filing

Public Utility Commission of Oregon
Attn: Filing Center
201 High St. SE, Suite 100
Salem OR 97301

Re: In the Matter of PACIFICORP, dba PACIFIC POWER,
2022 Transition Adjustment Mechanism.
Docket No. UE 390

Dear Filing Center:

Enclosed please find the Request for Final Payment and Reallocation of Issue Fund Grant and Confidential Exhibit A on behalf of the Alliance of Western Energy Consumers in the above-referenced docket. Confidential Exhibit A will be transmitted electronically to the Commission and PacifiCorp and will be encrypted with 7-zip software.

Thank you for your assistance. If you have any questions, please do not hesitate to call.

Sincerely,

/s/ Jesse O. Gorsuch
Jesse O. Gorsuch

Enclosures
cc: Etta Lockey

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 390

In the Matter of)	
)	
PACIFICORP, dba PACIFIC POWER,)	REQUEST FOR FINAL PAYMENT
)	AND REALLOCATION OF ISSUE
2022 Transition Adjustment Mechanism.)	FUND GRANT OF THE ALLIANCE OF
_____)	WESTERN ENERGY CONSUMERS

Pursuant to Section 7.3 of the Fourth Amended and Restated Intervenor Funding Agreement (“IFA”) approved by the Oregon Public Utility Commission (“Commission”) in Order No. 18-017 (January 17, 2018), the Alliance of Western Energy Consumers (“AWEC”) hereby requests final payment of AWEC’s Issue Fund Grant in Docket No. UE 390 in the amount of \$65,295.79.

On April 23, 2021, AWEC filed a Request for Issue Fund Grant and Proposed Budget in Docket No. UE 390, proposing a total budget of \$37,500 and seeking an Issue Fund Grant in the amount of \$30,000. The Commission issued Order No. 21-123 on April 23, 2021, approving an Issue Fund Grant for AWEC in the amount of \$30,000. On September 16, 2021, AWEC filed a Request for Amendment of Proposed Budget in Docket No. UE 390, showing eligible expenses in the amount of \$86,367.50 and seeking an Issue Fund Grant in the amount of \$69,094. The Commission issued Order No. 21-302 on September 17, 2021, approving a new Issue Fund Grant for AWEC in the amount of \$69,094.

At this time, AWEC requests that the Commission authorize final payment of AWEC's approved Issue Fund Grant in Docket No. UE 390 in the amount of \$65,295.79 from the 2021 PacifiCorp Issue Fund. AWEC's expenses are shown in Confidential Exhibit 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) – AWEC has been an active participant in this Docket. AWEC reviewed the filings in this docket, conducted discovery, participated in settlement discussions, and filed testimony and a brief in this Docket. The expenses included in Confidential Exhibit A are reasonable and directly attributable to AWEC's participation in UE 390.

Section 7.3(c) – The Commission approved AWEC's proposed budget on April 23, 2021, and approved AWEC's amended proposed budget on September 17, 2021. In addition, AWEC used its own funds to pay for at least 20% of the Eligible Expenses as required by Section 6.5 of the IFA.

Section 7.3(d) - This Request for Payment constitutes a Final Request for Payment in this Docket.

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 AWEC'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 “[t]he terms of an [intervenor funding] agreement are binding on all organizations seeking a grant under that agreement and will be followed by the Commission in administering the agreement.”

PAGE 2 – AWEC REQUEST FOR FINAL PAYMENT AND REALLOCATION OF ISSUE FUND GRANT

OAR § 860-001-0120(2). AWEC has satisfied the terms of the IFA and respectfully requests that the Commission approve final payment of AWEC's Issue Fund Grant in the amount of \$65, 295.79 from the 2021 PacifiCorp Issue Fund within 30 days of receiving this Request for Final Payment, as provided in Article 7.6 of the IFA.

Pursuant to Article 6.7 of the IFA, AWEC respectfully requests that the Commission reallocate the remaining \$3,798.21 in AWEC's approved Issue Fund Grant in this proceeding to Docket No. UM 2183. AWEC is concurrently filing a Notice of Intent to Request Issue Fund Grant and Proposed Budget in Docket No. UM 2183.

Upon payment of this Request for Final Payment and Reallocation of Issue Fund Grant, the balance of AWEC's UE 390 Issue Fund Grant will be zero, and the balance of AWEC's approved Issue Fund Grant in Docket No. UM 2183 will be \$30,000.^{1/}

Checks should be made payable to:

Alliance of Western Energy Consumers

Payment should be sent to:

Alliance of Western Energy Consumers
c/o Tyler C. Pepple
Davison Van Cleve, P.C.
1750 SW Harbor Way, Suite 450
Portland, OR 97201

^{1/} This amount assumes the Commission also grants AWEC's Request for Issue Fund Grant and Proposed Budget in Docket No. UM 2183.

Dated this 21st day of October, 2021

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ Tyler C. Pepple

Tyler C. Pepple

1750 SW Harbor Way, Suite 450

Portland, OR 97201

(503) 241-7242 (telephone)

(503) 241-8160 (facsimile)

tcp@dvclaw.com

Of Attorneys for the

Alliance of Western Energy Consumers