

# Davison Van Cleve PC

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September 21, 2007

*Via Electronic and US 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 PUBLIC UTILITY COMMISSION OF OREGON  
Investigation of Automatic Adjustment Clause pursuant to SB 838.  
**Docket No. UM 1330**

Dear Filing Center:

Enclosed please find the Petition Proposed Budget of the Industrial Customers of Northwest Utilities in the above-captioned Docket.

Thank you for your assistance.

Sincerely yours,

/s/ Christian Griffen  
Christian W. Griffen

Enclosures  
cc: Service List

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this day served a copy of the foregoing Proposed Budget of the Industrial Customers of Northwest Utilities upon the parties on the official service list for UM 1330, by causing the same to be electronically served to those parties who waived paper service, as well as mailed, postage-prepaid, through the U.S. Mail to all other parties.

Dated at Portland, Oregon, this 21st day of September, 2007.

*/s/ Christian Griffen*  
Christian W. Griffen

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**(W) Waived Paper Service**

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UM 1330**

In the Matter of	)	
	)	
PUBLIC UTILITY COMMISSION OF	)	PROPOSED BUDGET OF
OREGON	)	THE INDUSTRIAL CUSTOMERS OF
	)	NORTHWEST UTILITIES
Investigation of Automatic Adjustment	)	
Clause pursuant to SB 838.	)	
_____	)	

Pursuant to Section 6.3 of the Intervenor Funding Agreement (“IFA”) approved by the Oregon Public Utility Commission (Commission) by Order No. 03-388 (July 2, 2003) and the Aug. 23, 2007 Prehearing Conference Memorandum in this proceeding, the Industrial Customers of Northwest Utilities (“ICNU”) files this Proposed Budget in UM 1330 for an Issue Fund Grant in the amount of \$50,765. ICNU proposes that this grant be split evenly between the PacifiCorp Issue Fund Account and the Portland General Electric Company (“PGE”) Issue Fund Account.

ICNU respectfully requests that the Commission act on this Proposed Budget within 14 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 UM 1330. UM 1330 is a proceeding regarding the implementation of an automatic adjustment clause pursuant to Senate Bill (“SB”) 838.

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). UM 1330 directly affects both PGE and PacifiCorp, which are Participating Public Utilities under Section 1(k) of the IFA. Therefore, an Issue Fund Grant may be made for this proceeding under Section 6.1 the IFA.

ICNU intends to attend all workshops, settlement conferences, hearing, and oral argument in UM 1330. In addition, ICNU intends to sponsor two rounds of testimony and briefs as called for by the procedural schedule in this Docket.

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

ICNU intends to investigate the appropriate rules that will implement the automatic adjustment clause pursuant to SB 838 in a manner that is consistent with the legislature’s intent in enacting SB 838.

**(3) Description of the particular customer class or classes that will benefit from the intervenor’s participation:**

ICNU’s participation will directly benefit industrial and all other large non-residential customers who purchase service from PacifiCorp and PGE in Oregon.

**(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 \$50,765. Pursuant to Section 7.7(a) of the IFA, ICNU proposes that the grant amount be allocated equally between the PacifiCorp and PGE Issue Fund Accounts, which were established under IFA Section 4.2.3.

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

Attached as Exhibit A is ICNU’s proposed budget in UM 1330.

**(6) Basis for Request**

ICNU respectfully requests that the Commission grant its full request for this Issue Fund Grant based on the following considerations:

1. UM 1330 involves considerations of the appropriate implementation of an automatic adjustment clause pursuant to SB 838. As a result, this proceeding has a direct impact on all customers of PGE and PacifiCorp in Oregon.

2. UM 1330 involves very significant policy issues, and the Commission should solicit as much input as possible from customers. The rules that the Commission adopts could have a significant impact on customer rates.

3. ICNU has been precertified under Section 5.1 of the IFA and OAR 860-017-0050(3) as eligible to receive an Issue Fund Grant, by Order No. 03-502, which was entered on August 1, 2003.

4. 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 PacifiCorp and PGE industrial customers.

Therefore, ICNU respectfully requests that the Commission issue an order granting an issue fund grant in the amount specified above.

Dated this 21st day of September, 2007.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ Allen Chan

Melinda J. Davison

Allen C. Chan

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Of Attorneys for the Industrial Customers  
of Northwest Utilities

Exhibit AICNU Proposed Budget for Issue Fund Grant

<u>Category</u>	<u>Personnel</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
<b><i>Discovery</i></b>	Sr. Attorney	5	215.00	1,075.00
Draft data requests, respond to data requests, organize discovery, review discovery responses, discovery disputes, depositions	Assoc. Attorney	15	175.00	2,625.00
<b><i>Case Preparation</i></b>	Sr. Attorney	12	215.00	2,580.00
Review filings and testimony, legal research, develop case strategy, prepare testimony, communications with expert witnesses, prepare issue statements	Assoc. Attorney	20	175.00	3,500.00
<b><i>Procedural Matters</i></b>	Sr. Attorney	5	215.00	1,075.00
Draft and review pleadings, hearings regarding procedural issues	Assoc. Attorney	10	175.00	1,750.00
<b><i>Settlement</i></b>	Sr. Attorney	10	215.00	2,150.00
Prepare for and attend settlement meetings, draft settlement documents	Assoc. Attorney	5	175.00	875.00
<b><i>Communication</i></b>	Sr. Attorney	8	215.00	1,720.00
Meetings and communications with clients and third parties	Assoc. Attorney	8	175.00	1,400.00
<b><i>Hearings/Workshops</i></b>	Sr. Attorney	16	215.00	3,440.00
Preparation and attendance at hearings, workshops and other Commission sponsored meetings	Assoc. Attorney	16	175.00	2,800.00
<b><i>Briefing/Oral Argument</i></b>	Sr. Attorney	10	215.00	2,150.00
Prepare for and attend oral argument, draft briefs, legal research related to briefs	Assoc. Attorney	15	175.00	2,625.00
	Total Hours	155	Sub-Total	29,765.00
 <u>Expert Witness Fees</u>				
Witness				20,000.00
 <u>Expenses</u>				
Travel Expenses (Mileage)				250.00
Consultant Travel Expenses				500.00
Printing and Reproduction				150.00
Postage				100.00
			Sub-Total	1,000.00
			<b><u>Grand Total</u></b>	<b>50,765.00</b>