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**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1050

In the Matter of	)	
	)	
PACIFICORP	)	ORDER
	)	
Request to Initiate an Investigation of	)	
Multi-Jurisdictional Issues and Approve an	)	
Inter-Jurisdictional Cost Allocation	)	
Protocol.	)	

**DISPOSITION: PROPOSED BUDGETS FOR ISSUE  
FUND GRANTS APPROVED**

On November 14, 2003, the Citizens' Utility Board (CUB) filed a proposed budget in the amount of \$27,917 in anticipation of receiving funds from the PacifiCorp Issue Fund. On November 26, 2003, CUB supplemented its original filing to provide additional information in order to meet the requirements for obtaining approval of its proposed budget.

On November 14, 2003, the Industrial Customers of Northwest Utilities (ICNU) filed a Notice of Issue Fund Grant with a proposed budget in the amount of \$86,125. On November 26, 2003, ICNU filed a clarification of its previous request, explaining that CUB and ICNU are sharing an expert witness, with each party claiming \$15,750 as possible expenses, as they anticipate the witness fee to be \$31,500.

Copies of these documents were served on the parties in the docket. No objections or comments were received.

**Discussion**

The Intervenor Funding Agreement (IFA), approved by the Commission in Order No. 03-388, provides that precertified intervenors must submit a proposed issue fund budget to the Commission that contains, at a minimum, the following information:

- 1) A statement of the work to be performed;
- 2) A description of the areas to be investigated;

- 3) A description of the particular customer class(es) that will benefit from the intervenor's participation;
- 4) Identification of the specific fund accounts from which the intervenor is seeking monies; and
- 5) A budget showing estimated attorney, consultant and expert witness fees, which may include the cost for appropriate support staff and operations support.

Once the proposed budget is received, we decide whether Issue Fund Grants are available for use. We make these determinations based on the following factors:

- 1) Breadth and complexity of the issues;
- 2) Significance of policy issues;
- 3) Procedural schedule;
- 4) Dollar magnitude of the issues at stake;
- 5) Participation of other parties that adequately represent the interests of customers;
- 6) Amount of funds being provided by the applicant intervenor;
- 7) Qualifications and experience before the Commission;
- 8) Level of available funds; and
- 9) Other Eligible Proceedings in which intervenors may seek additional Issue Fund Grants from the same Fund account(s).

We have the authority to accept, deny or partially deny the request, and may place reasonable conditions on the grant.

Two parties have submitted proposed budgets with the requisite information, copies of which are attached. CUB's proposed budget is Appendix A, and ICNU's proposed budget is Appendix B.

This docket involves a possible agreement among the states served by PacifiCorp regarding the allocation of costs. This matter originally began in December 2000 as Docket No. UM 1001. This docket was opened in March 2002. Hearings are currently scheduled for late July 2004. The issues have been extremely complex, and the parties have engaged in frequent out-of-state meetings. In light of the issues being addressed, the complexity of the issues and the significant policy decisions to be made, the two proposed budgets should be approved.

Finally, the IFA was approved on July 2, 2003. Expenses incurred prior to July 2, 2003, are not eligible for intervenor funding grants. Any requests for payment should include expenses incurred on or after July 2, 2003.

**ORDER**

IT IS ORDERED that the proposed budgets of the Citizens' Utility Board and the Industrial Customers of Northwest Utilities are approved, subject to final accounting.

Made, entered, and effective \_\_\_\_\_.

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**Lee Beyer**  
Chairman

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**John Savage**  
Commissioner

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**Ray Baum**  
Commissioner

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.

## CUB'S UM 1050 BUDGET

<b>CUB Expenses</b>		
CUB Staff:		
Bob Jenks, Exec. Dir.	125	4,263
Jason Eisdorfer, Legal Counsel	100	4,290
Economic Analyst	70	2,065
Travel		1,350
Printing and Mailing		200
Expert Witness Fees	90	15,750
<b>Total CUB Expenses</b>		<b>27,917</b>
<b>Issues fund request</b>		<b>27,917</b>

\*Staff costs include salary, and an allocated share of taxes, benefits, and overhead.

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Exhibit AICNU Proposed Budget for Issue Fund Grant

<u>Task</u>	<u>Assigned Personnel</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Attend Prehearing Conference, Work on Scheduling, Attend Filing Meetings, Review Filing	Sr. Attorney Assoc. Attorney	15 20	175.00 135.00	2,625.00 2,700.00
Analyze Case and Prepare Issue Statement, work on issues with other Parties	Sr. Attorney	15	175.00	2,625.00
Prepare for and Participate in Workshops and Public Meetings	Sr. Attorney Assoc. Attorney	35 20	175.00 135.00	6,125.00 2,700.00
Conduct Discovery	Sr. Attorney Assoc. Attorney	20 35	175.00 135.00	3,500.00 4,725.00
Participate in Settlement Conferences	Sr. Attorney Assoc. Attorney	40 15	175.00 135.00	7,000.00 2,025.00
Prepare Opening Testimony	Sr. Attorney Assoc. Attorney	20 30	175.00 135.00	3,500.00 4,050.00
Prepare Reply Testimony	Sr. Attorney Assoc. Attorney	15 25	175.00 135.00	2,625.00 3,375.00
Legal Research	Assoc. Attorney	40	135.00	5,400.00
Draft Opening Brief and Reply Brief	Sr. Attorney Assoc. Attorney	30 40	175.00 135.00	5,250.00 5,400.00
Prepare for and Attend Oral Argument	Sr. Attorney	8	175.00	1,400.00
Expert Witness Fees		90	175.00	<u>15,750.00</u>
			Sub-Total	80,775.00
Travel Expenses (Mileage)				350.00
Consultant Travel Expenses				2,000.00
Printing and Reproduction				2,500.00
Telephone and Postage				<u>500.00</u>
			Grand Total	86,125.00