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BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 1121

In the Matter of)	
)	
OREGON ELECTRIC UTILITY)	ORDER
COMPANY, LLC, et al.,)	
)	
Application for Authorization to Acquire)	
Portland General Electric Company.)	

DISPOSITION: ISSUE FUND GRANT REQUEST FOR PARTIAL PAYMENT APPROVED.

On December 10, 2004, the Citizens' Utility Board of Oregon (CUB) filed a Request for Partial Payment of Portland General Electric Company's (PGE) Issue Fund Grant. Section 7.3 of the Intervenor Funding Agreement (IFA), which the Commission adopted in Order No. 03-388, governs the procedures for payment of Issue Fund Grants. To be eligible to receive intervenor funding under the Agreement, an intervenor must become either pre-certified under section 5.2 of the Agreement or case certified under section 5.3 of the Agreement. CUB was automatically pre-certified for Issue Fund Grants under section 5.2(a) of the IFA.

The Commission previously approved CUB's budget for \$81,654 in this case in Order No. 04-352. CUB seeks a partial payment of \$32,745.34 to cover out of pocket expenses for the services of its consultant, Utilitech. Given its cash flow needs, CUB finds it necessary to seek partial payment now, rather than wait for full payment at the conclusion of the docket. In support of its request, CUB submitted the letter of agreement between CUB and Utilitech, invoices submitted by Utilitech, and CUB's summary of those invoices.

Section 7.3 allows a request for payment to be made at anytime during an eligible proceeding. A request for payment must:

- (1) Itemize the expenses, payees, and hourly rates of amount to be reimbursed;
- (2) Demonstrate that the expenses are reasonable and are directly attributable to issues and positions pursued on behalf of a particular customer class and consistent with the intervenor's proposed budget; and
- (3) Provide information sufficient to show that the intervenor has complied with any conditions imposed on the Issue Fund Grant.

We find that CUB has met the requirements of the IFA, and its request for partial payment should be approved. Section 7.2 of the IFA provides that the utility shall pay the Issue Fund Grant to the requesting intervenor within 30 days after receipt of Commission directive.

The IFA also provides that the Commission shall make a determination in each proceeding as to how the participating utilities are to recover the funding grants from the various customer classes. Pursuant to Section 7.7(b), Issue Fund Grants should be allocated as to fairly align the costs of the advocacy with the intended potential beneficiaries of the advocacy. We have considered the intended beneficiaries, and find that the issue fund expenditures should be allocated to PGE's residential customers.

ORDER

IT IS ORDERED that:

1. CUB has met the requirements of the Intervenor Funding Agreement, and its request is approved.
2. PGE shall pay \$32,745.34 from its Issue Fund to CUB within 30 days of receipt of this Order, and the grant shall be assessed to PGE's residential customers.

Made, entered, and effective _____.

Lee Beyer
Chairman

John Savage
Commissioner

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.