

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 1095(6)

In the Matter of)	
)	
INDUSTRIAL CUSTOMERS OF)	ORDER
NORTHWEST UTILITIES)	
)	
Request for Intervenor Funding.)	

DISPOSITION: MATCHING GRANT REQUEST APPROVED

On May 17, 2006, Industrial Customers of Northwest Utilities (ICNU) filed a Request for Payment of Preauthorized Matching Grant with the Public Utility Commission of Oregon (Commission). Section 7.2 of the Intervenor Funding Agreement (IFA), which the Commission adopted in Order No. 03-388, provides that the Commission will grant such a request if the intervenor satisfies the requirements under the terms of the Agreement.

ICNU asks for \$51,000 from the Portland General Electric (PGE) Preauthorized Matching Fund Account. Funds from PGE's Preauthorized Matching Fund Account are available for use exclusively by ICNU. Section 7.2 of the IFA, which the Commission adopted in Order No. 03-388, governs the procedures for payment of Matching Grants. To be eligible to receive intervenor funding under the Agreement, an intervenor must become either precertified under section 5.2 of the Agreement or case certified under section 5.3 of the Agreement. ICNU was precertified to receive intervenor funding grants in Order No. 03-502.

Under the terms of the IFA, ICNU must establish that it has "used in-house resources or outside funding for at least 50% of the Eligible Expenses for an Eligible Proceeding." IFA at 17. ICNU provided such documentation in its request, which is attached as Appendix A.

Section 7.7 of the Agreement 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), the "Preauthorized Matching Grants shall be allocated and charged to industrial customers." IFA at 20.

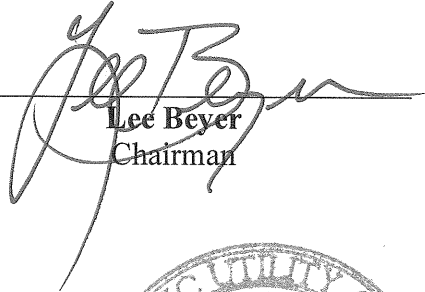
We find that ICNU has met the requirements of the Agreement, and its request should be approved. Section 7.2 of the Agreement provides that the utility shall pay the Preauthorized Matching Grant to the requesting intervenor within 30 days after receipt of Commission directive.

ORDER

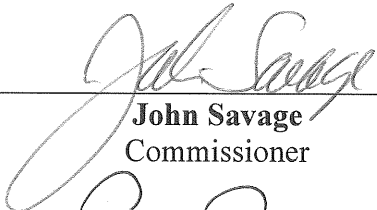
IT IS ORDERED that:

- 1. Industrial Customers of Northwest Utilities has met the requirements of the Intervenor Funding Agreement, and its request is approved.
- 2. Portland General Electric shall pay \$51,000 from the Portland General Electric Preauthorized Matching Fund to Industrial Customers of Northwest Utilities within 30 days after receipt of this Order, and the grant shall be assessed to Portland General Electric's industrial customers.


Made, entered, and effective MAY 30 2006 .



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 by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.

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Suite 400
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S. Bradley Van Cleve

May 16, 2006

Administrative Law Judge Michael Grant
Oregon Public Utility Commission
P.O. Box 2148
Salem, Oregon 97308-2148

Pamela Lesh
121 S.W. Salmon St.
1WTC 1703
Portland, OR 97204

RE: ICNU Request for Payment of 2005 Preauthorized Matching Grant, PGE Account

Honorable Judge Grant:

The Industrial Customers of Northwest Utilities ("ICNU") files this request for payment of a Preauthorized Matching Grant from Portland General Electric Company's ("PGE") Preauthorized Matching Fund Account in the amount of \$51,000. This request for payment is filed pursuant to Section 7.2 of the Intervenor Funding Agreement ("IFA"), which was approved by the Oregon Public Utility Commission ("Commission") on July 2, 2003, in Order No. 03-388. The Commission's rules provide that the terms of a Commission-approved intervenor funding agreement will be binding on all organizations seeking a grant under the agreement and will be followed by the Commission in administering the agreement. OAR 860-012-0100(2).

ICNU meets all of the criteria for payment of a Preauthorized Matching Grant from the Preauthorized Matching Fund PGE Account, as demonstrated by the following:

1. The balance in PGE's Preauthorized Matching Fund Account for use by ICNU for 2005 was \$51,000. Under the IFA, PGE makes available an Annual Grant Amount of \$50,000, which is added to PGE's Preauthorized Matching Fund Account each calendar year during the term of the IFA. IFA at § 4.2.2. ICNU has not made a Request for Payment for a Preauthorized Matching Grant for Eligible Expenses incurred in 2005. ICNU may file a Request for Payment for a Preauthorized Matching Grant at any time during the term of the IFA. IFA at § 7.2. Funds from PGE's Preauthorized Matching Fund Account are available for use exclusively by ICNU. IFA at § 4.2.2.

2. A Preauthorized Matching Grant from the PGE Account may be used solely to pay Eligible Expenses for Eligible Proceedings involving PGE. IFA at § 4.2.2. ICNU requests the payment of a Preauthorized Matching Grant for Eligible Expenses incurred in the following Eligible Proceedings involving PGE: DR 32, PGE's Petition for Declaratory Ruling;

Request for Payment of a Preauthorized Matching Grant
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UE 172, PGE's 2006 Resource Valuation Mechanism proceeding; UE 165/UM 1187, PGE's Schedule 128 Hydro Generation Adjustment and Hydro Deferral Application; UM 1121, PGE's Transfer of Ownership to Texas Pacific Group; and UM 1206, PGE/Enron's Stock Distribution. ICNU requests the payment of the \$51,000 Preauthorized Matching Grant for the expenses listed in Exhibit A, attached, which are Eligible Expenses under Section 7.4 of the IFA.

3. A Preauthorized Matching Grant may be provided only if ICNU demonstrates that it has used in-house resources or outside funding for at least 50% of the Eligible Expenses for an Eligible Proceeding. IFA at § 7.2. As shown in Exhibit A, ICNU has used in-house resources and outside funding for more than 50% of the Eligible Expenses in each of these proceedings.

4. Section 4.2.2 of the IFA requires that ICNU become precertified (in accordance with Section 5.2 of the IFA) within one year of the effective date of the IFA in order to be eligible to receive a Preauthorized Matching Grant. ICNU became precertified as eligible to receive intervenor funding grants under Section 5.2 of the IFA pursuant to Order No. 03-502, entered by the Commission on August 21, 2003.

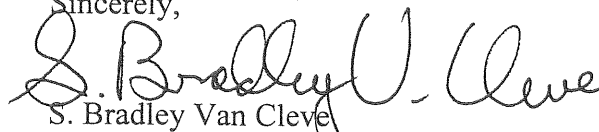
Having demonstrated that it meets all of the criteria and conditions for such request, ICNU requests payment of a Preauthorized Matching Grant from PGE's Preauthorized Matching Fund Account in the amount of \$51,000. ICNU requests that the Commission grant this request within 30 days of receipt and order PGE to pay ICNU the amount of \$51,000 within 30 days after receipt of the Commission directive, in accordance with Section 7.2 of the IFA.

Payment should be sent to:

Michael Early
Industrial Customers of Northwest Utilities
333 SW Taylor Street, Suite 400
Portland, OR 97204

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions.

Sincerely,



S. Bradley Van Cleave
Of Attorneys for the Industrial Customers
of Northwest Utilities

Enclosure
cc: Michael Early

EXHIBIT A

**Statement of Eligible Expenses & Matching Funds
ICNU Request for Payment of Preauthorized Matching Grant, PGE Account**

	Eligible Proceedings						TOTAL
	DR 32	UE 172	UE 165/ UM 1187	UM 1121	UM 1206		
Eligible Expenses billed through 12/31/05							
(a) Actual attorney fees directly attributable to participation in proceeding	7,233.00	14,323.50	52,144.00	5,910.50	13,059.00		92,670.00
(b) Expert witness fees		14,043.75	20,671.83	436.95	1,308.25		36,460.78
(c) Apportioned wages for in-house staff directly related to participation (non-Sec. 7.5)							
(d) Cost of preparing & copying studies, discovery materials, filing in the proceeding	69.68	264.79	1,348.54	50.09	160.95		1,894.05
(e) Travel costs directly related to participation in the proceeding		19.87	147.00		76.50		243.37
(f) Costs of studies, supplies directly related to the proceeding; fees, transcripts							
(g) Cost of participation in workshops, informal PUC activities prior to proceeding							
Total of Eligible Expenses billed through 12/31/05	\$ 7,302.68	\$ 28,651.91	\$ 74,311.37	\$ 6,397.54	\$ 14,604.70		\$ 131,268.20
Amount of Preauthorized Matching Fund Grant Request							\$51,000.00
ICNU in-house resources or outside funding used for Eligible Expenses							\$ 80,268.20
Percentage of ICNU in-house resources or outside funding used (matching funds) (must be at least 50%)							61.15%

The above expenses were billed to the Industrial Customers of Northwest Utilities as of 12/31/05 and were directly attributable to ICNU's participation in the DR 32, UE 172, UE 165/UM 1187, UM 1121 and UM 1206 PGE proceedings



Michael B. Early, Executive Director
Industrial Customers of Northwest Utilities

5/10/2006