

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 177

In the Matter of)
)
OREGON PUBLIC UTILITY COMMISSION)
STAFF)
)
Requesting the Commission direct)
PACIFICORP dba PACIFIC POWER, to file)
tariffs establishing automatic adjustment)
clauses under the terms of SB 408.)

ORDER

DISPOSITION: ISSUE FUND GRANT REQUEST APPROVED

On June 11, 2008, the Industrial Customers of Northwest Utilities (ICNU) filed with the Public Utility Commission of Oregon (Commission) a request for final payment from the Issue Fund of PacifiCorp dba Pacific Power (Pacific Power) in the amount of \$26,000. Section 7.3 of the Intervenor Funding Agreement (IFA), adopted by the Commission in Order No. 03-388,¹ and Section 7.3 of the First Amended and Restated Intervenor Funding Agreement (FARIFA), adopted by the Commission in Order No. 07-564, govern the procedures for payment of Issue Fund Grants.

On December 5, 2007, ICNU submitted a proposed budget of \$26,000, assuming a fully litigated case. In Order No. 07-577, the Commission conditionally approved a proposed budget of \$18,200 and required ICNU to file in 2008 for the remainder of its requested budget amount. On February 6, 2008, ICNU submitted a proposed budget for \$7,800, and the Commission granted the additional proposed budget in Order No. 08-127.

ICNU now seeks payment of its costs in this case in the amount of \$26,000 from the Pacific Power Issue Fund. ICNU states that this is its final request for payment of issue funds for this case. Under Section 7.3 of the IFA and of the FARIFA, the Request for Payment must:

¹ A portion of this request is being processed under the terms of the Agreement that was in effect at the time of the proposed budget approval for \$18,200.

- 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;
- 3) Provide information sufficient to show that the intervenor has complied with any conditions imposed on the Issue Fund Grant; and
- 4) Specify whether the request for payment is for a progress payment or a final payment and indicate whether any approved budget amount may be released back to the applicable Issue Fund.

Further, under Section 6.5 of the FARIFA, ICNU must establish that it has "used in-house resources or outside funding for at least 20% of the Eligible Expenses for an Eligible Proceeding." ICNU provided the required documentation in its request.

The IFA and the FARIFA provide 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. Section 7.7(b) of the IFA and of the FARIFA provides that Issue Fund Grants should be allocated so that the costs of the advocacy fairly align with the intended potential beneficiaries of the advocacy.

We find that ICNU has met the requirements of the IFA and the FARIFA, and its request should be approved. We have considered the intended beneficiaries, and find that the issue fund expenditures should be allocated to Pacific Power's industrial customers. Section 7.2 of the IFA and of the FARIFA provides that the utility shall pay the Issue Fund Grant to the requesting intervenor within 30 days after receipt of Commission directive.

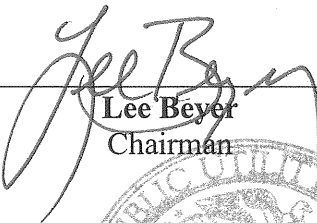
ORDER

IT IS ORDERED that:

1. The Industrial Customers of Northwest Utilities has met the requirements of the Intervenor Funding Agreement and of the First Amended and Restated Intervenor Funding Agreement, and its request is approved.

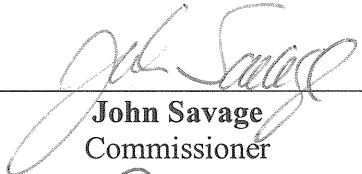
- 2. PacifiCorp dba Pacific Power shall pay \$18,041.96 from the Pacific Power Issue Fund to the Industrial Customers of Northwest Utilities within 30 days after receipt of this Order, and the grant shall be assessed to PacifiCorp dba Pacific Power's industrial customers.

Made, entered, and effective JUN 30 2008.



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.