

ORDER NO. 16 199

ENTERED MAY 24 2016

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1719

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON,

Investigation to Explore Issues Related to
Renewable Generator's Contribution to
Capacity.

ORDER

DISPOSITION: ISSUE FUND GRANT REQUEST APPROVED

On May 18, 2016, the Industrial Customers of Northwest Utilities (ICNU) filed a Request for Final Payment from the Issue Funds of PacifiCorp, dba Pacific Power and Portland General Electric Company (PGE). Section 7.3 of the Third Amended and Restated Intervenor Funding Agreement (Agreement), adopted by the Commission in Order No. 15-335, governs the procedures for payment of Issue Fund Grants. ICNU was precertified to receive Issue Fund Grants on August 21, 2003, in Order No. 03-502.

ICNU asks for a final payment of \$2,904.40 split equally between the PGE and PacifiCorp Issue Funds¹ and states that the remaining balance of the approved budget may be released back to the PGE and PacifiCorp Issue Fund.² Under the Agreement, the 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;

¹ ICNU clarified the amounts to be paid from each fund in its confidential attachment received May 20, 2016.

² ICNU also requests the amounts released back to the Issue Funds be reallocated for its use in dockets UE 307 and UE 308; and on May 18, 2016, ICNU filed Issue Fund Grant Requests with Proposed Budgets in those dockets.

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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 the terms of the Agreement, ICNU must establish that it has used in-house resources or outside funding for at least 20 percent of the Eligible Expenses for an Eligible Proceeding. Agreement at 22. ICNU provided the required documentation in its request.

The Agreement provides that the Commission will 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 Agreement provides that Issue Fund Grants should be allocated so as to fairly align the costs of the advocacy with the intended potential beneficiaries of the advocacy. Agreement at 24. The Commission has considered the intended beneficiaries, and finds that the issue fund expenditures should be allocated to PGE's and PacifiCorp's industrial customers.

We find that ICNU has met the requirements of the Agreement, and its request should be approved. Section 7.8 of the Agreement provides that the utility must pay the Issue Fund Grant to the requesting intervenor within 30 days after receipt of the Commission directive. The balance of the approved budget should be made available to the PGE and PacifiCorp Issue Funds.

ORDER

IT IS ORDERED that:

1. The Industrial Customers of Northwest Utilities has met the requirements of the Third Amended and Restated Intervenor Funding Agreement, and its request is approved.
2. PacifiCorp, dba Pacific Power pay \$1,452.20 from the Pacific Power Issue Fund to the Industrial Customers of Northwest Utilities within 30 days after receipt of this order, and the grant be assessed to PacifiCorp's industrial customers.

3. Portland General Electric Company pay \$1,452.20 from the PGE Issue Fund to the Industrial Customers of Northwest Utilities within 30 days after receipt of this order, and the grant be assessed to PGE's industrial customers.

Made, entered, and effective MAY 24 2016.



A handwritten signature in blue ink, appearing to read "Michael Grant", is written over a horizontal line.

Michael Grant
Chief Administrative Law Judge
Administrative Hearings Division