

ORDER NO. 19-319

ENTERED Sep 27 2019

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UE 352

In the Matter of

PACIFICORP, dba PACIFIC POWER,

2019 Renewable Adjustment Clause.

ORDER

**DISPOSITION: ISSUE FUND GRANT REQUEST APPROVED**

On September 25, 2019, the Alliance of Western Energy Consumers<sup>1</sup> filed a Request for Final Payment of its PacifiCorp, dba Pacific Power, Issue Fund Grant. Section 7.3 of the Fourth Amended and Restated Intervenor Funding Agreement (Agreement), adopted by the Commission in Order No. 18-017, governs the procedures for payment of Issue Fund Grants. AWEC (as the Industrial Customers of Northwest Utilities) was precertified to receive Issue Fund Grants on August 21, 2003, in Order No. 03-502. Additionally, per Article 6.7 of the Agreement, AWEC requests reallocation of the remaining balance of the UE 352 issue fund budget to an issue fund grant for docket LC 70.<sup>2</sup>

AWEC asks for a progress payment of \$35,119.92 from the PacifiCorp Issue Fund. 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;
- 3) Provide information sufficient to show that the intervenor has complied with any conditions imposed on the Issue Fund Grant; and

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<sup>1</sup> Formerly known as the Industrial Customers of Northwest Utilities.

<sup>2</sup> AWEC filed its proposed budget request for LC 70 on the same date as its UE 352 payment request.

- 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, AWEC must establish that it has " used in-house resources or outside funding to account for or pay at least 20% of the Eligible Expenses for the work to be performed in the proceeding for which the intervenor is seeking an Issue Fund Grant." Agreement at 15. AWEC 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. Under Section 7.7(b), 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 23. The Commission has considered the intended beneficiaries, and finds that the issue fund expenditures should be allocated to PacifiCorp's industrial customers.

The Commission finds that AWEC 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.

## **ORDER**

IT IS ORDERED that:

1. The Alliance of Western Energy Consumers has met the requirements of the Fourth Amended and Restated Intervenor Funding Agreement, and its request is approved.

2. PacifiCorp, dba Pacific Power pay \$35,119.92 from the PacifiCorp Issue Fund to the Alliance of Western Energy Consumers within 30 days after receipt of this Order, and the grant be assessed to PacifiCorp's industrial customers.

Made, entered, and effective           Sep 27, 2019          .



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**Nolan Moser**  
Chief Administrative Law Judge  
Administrative Hearings Division

