

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1586

In the Matter of

PACIFICORP, dba PACIFIC POWER,

Multi-State Process Intervenor Funding.

ORDER

**DISPOSITION: MSP FUND GRANT PAYMENT REQUEST APPROVED;
PROPOSED BUDGET FOR AWEC MSP FUND GRANT
APPROVED**

On April 1, 2024, the Alliance of Western Energy Consumers (AWEC), formerly known as the Industrial Customers of Northwest Utilities (ICNU) filed a request for a final payment of its 2023 Multi-State Process (MSP) Fund Grant. Section 6.1 of the Multi-State Process Fourth Amended and Restated Intervenor Funding Agreement (Agreement), adopted by the Commission in Order No. 20-189 governs the procedures for payment of MSP Fund Grants. AWEC, as ICNU, was precertified to receive Intervenor Funding Grants on August 21, 2003, in Order No. 03-502.

AWEC asks for a final payment of \$7,238.16 from the 2023 PacifiCorp MSP Fund and indicates that the remaining balance of its MSP Grant may be returned to the MSP 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 MSP Activities on behalf of a particular customer class; and
- 3) Provide information sufficient to show that the intervenor has complied with any conditions imposed on the MSP Fund Grant.

Further, under the terms of the Agreement, AWEC 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 11. AWEC provided the required documentation in its request.

The Agreement provides that the Commission will make a determination as to how the participating utilities are to recover the funding grants from the various customer classes. Section 6.4 of the Agreement provides that MSP Fund Grants paid to AWEC should be allocated and charged to industrial customers. Agreement at 13.

The Commission finds that AWEC has met the requirements of the Agreement, and its request should be approved. Section 6.6 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.

On April 1, 2024, AWEC also filed a proposed budget for a 2024 AWEC MSP Fund Grant. AWEC's proposed budget shows eligible expenses of \$84,375; and it seeks an AWEC MSP Fund Grant of \$67,500.

The Multi-State Process Fourth Amended and Restated Intervenor Funding Agreement (IFA), approved by the Commission in Order No. 20-189, provides that eligible intervenors must submit a proposed MSP fund budget to the Commission that contains, at a minimum, the following information:

- 4) A statement of the breadth and complexity of the MSP Activities;
- 5) The significance of any policy issues directly attributable to MSP Activities;
- 6) The MSP Activities schedule;
- 7) The participation of other parties in MSP Activities that adequately represent the interests of customers;
- 8) A statement of MSP Activities to be performed by the applicant for which the applicant is seeking an MSP Fund Grant;
- 9) A description of the areas to be investigated by the intervenor relating to MSP Activities;
- 10) A budget of MSP Activities showing estimated attorney and consultant fees, which may include the cost for appropriate support staff and operation support; and
- 11) A representation that the intervenor will use matching funds in the form of either in-house resources or outside funding to account for or pay at least 20 percent of the eligible expenses for which the intervenor is seeking a MSP Fund Grant.

Once a proposed budget is received, the Commission decides whether MSP Fund Grants are available for use based on factors identified in the IFA. The Commission has the authority to accept, deny, or partially deny the request, and may place reasonable conditions on the grant.

Under section 4.3 of the agreement, only AWEC and the Citizens' Utility Board of Oregon are eligible to apply for MSP Fund Grants. AWEC's proposed budget includes the requisite information.

In light of the issues being addressed, the complexity of the issues and the significant policy decisions to be made, the Commission believes that AWEC's proposed budget is reasonable and should be approved.

ORDER

IT IS ORDERED that:

1. The Alliance of Western Energy Consumers has met the requirements of the Multi-State Process Fourth Amended and Restated Intervenor Funding Agreement, and its payment request is approved.
2. PacifiCorp, dba Pacific Power, pay \$7,238.16 from the MSP 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.
3. The Alliance of Western Energy Consumers' proposed budget for an AWEC MSP Fund Grant is approved.
4. An Issue Fund Grant is approved up to \$67,500.

Made, entered, and effective May 7, 2024.



A handwritten signature in blue ink, appearing to read "Nolan Moser".

Nolan Moser
Chief Administrative Law Judge
Administrative Hearings Division