

ORDER NO. 24-127

ENTERED May 07 2024

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 2183

In the Matter of

PACIFICORP, dba PACIFIC POWER,

Application for Authority to Implement a  
Decommissioning Cost Recovery  
Adjustment and Coal Removal Mechanism.

ORDER

**DISPOSITION: ISSUE FUND GRANT REQUEST APPROVED AND FUNDS  
REALLOCATED**

On March 25, 2024, the Alliance of Western Energy Consumers<sup>1</sup> filed a Request for Payment of its PacifiCorp Issue Fund Grant.<sup>2</sup> Section 7.3 of the Fifth Amended and Restated Intervenor Funding Agreement (Agreement), adopted by the Commission in Order No. 22-506, 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

AWEC asks for a final payment of \$8,577.99 from the PacifiCorp Issue Fund, and requests reallocation of the remaining \$21,422.01 of the approved Issue Fund Grant to its pending Issue Fund Grants in UE 433 (\$7,686.96) and UE 434 (\$ 13,735.05), per Article 6.7 of the Agreement. Concurrent with its request for payment in this docket, AWEC filed for approval of Proposed Budgets in UE 433 and UE 434. 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;

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

<sup>2</sup> This amount was remaining in 2021, and it has rolled forward in the committed amounts year to year.

- 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, 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.

AWEC further asks that the remainder of the Issue Fund Grant be reallocated to dockets UE 433 and UE 434 with \$7,686.96 to UE 433 and \$13,735.05 to UE 434.

## **ORDER**

IT IS ORDERED that:

1. The Alliance of Western Energy Consumers has met the requirements of the Fifth Amended and Restated Intervenor Funding Agreement, and its request is approved.
2. PacifiCorp, dba Pacific Power pay \$8,577.99 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.

3. The remaining balance of the Issue Fund Grant be reallocated as indicated above to the Alliance of Western Energy Consumers' Issue Fund Grants in UE 433 and UE 434.

Made, entered, and effective May 7, 2024.



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

