

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 208 and UE 209

In the Matters of

PORTLAND GENERAL ELECTRIC
COMPANY
2010 Annual Power Cost Update Tariff
(Schedule 125) (UE 208) and

PORTLAND GENERAL ELECTRIC
COMPANY
Schedule 122 Update to Renewable
Resources Automatic Adjustment Clause
(UE 209).

ORDER

**DISPOSITION: PROPOSED BUDGETS FOR ISSUE FUND
GRANTS APPROVED IN PART**

Recently, precertified intervenors filed proposed budgets for Issue Fund Grants from the Portland General Electric Company (PGE) Issue Fund in the above captioned dockets. These proposed budgets are those filed by the Industrial Customers of Northwest Utilities (ICNU) in UE 208, and by the Citizens' Utility Board of Oregon (CUB) in UE 208 and UE 209. In this consolidated order, we grant all proposed budgets in part.

Intervenor Funding

The First Amended and Restated Intervenor Funding Agreement (IFA), approved by the Commission in Order No. 07-564, provides that precertified intervenors must submit a proposed issue fund budget to the Commission that contains, at a minimum, the following information:

- 1) A statement of the work to be performed;
- 2) A description of the areas to be investigated;
- 3) A description of the particular customer class(es) that will benefit from the intervenor's participation;
- 4) Identification of the specific fund accounts from which the intervenor is seeking monies and an estimate of the amount of available funds in that account;

- 5) A budget showing estimated attorney, consultant and expert witness fees, which may include the cost for appropriate support staff and operations support; and
- 6) 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 an Issue Fund Grant.

CUB was automatically precertified to receive Issue Fund Grants under Section 5.2(a) of the IFA and OAR 860-012-0100(3)(a). ICNU became precertified on August 21, 2003, in Order No. 03-502. All of the proposed budgets filed by ICNU and CUB include the requisite information and reflect the current schedule adopted in these dockets.

Proposed Budgets

On May 28, 2009, CUB filed in UE 209 a proposed budget seeking an Issue Fund Grant in the amount of \$11,440 and in UE 208 a proposed budget seeking an Issue Fund Grant in the amount of \$13,640. Also on May 28, 2009, ICNU filed in UE 208 a proposed budget seeking an Issue Fund Grant in the amount of \$35,000. ICNU notes in its Issue Fund Grant request that it is proposing to use outside funding to pay for approximately 48.8 percent of its eligible expenses.

The total amount available in the Pacific Power Issue Fund on May 28, 2009, was \$46,493.11.¹ The above-listed requests for Issue Fund Grants total \$60,080, exceeding the amount available by more than \$13,000. The Commission notes that there is \$56,924 in yet unclaimed committed funds pending in the PGE Issue Fund from dockets UE 197 and UE 198. The Commission has informally contacted the intervenors to whom those funds are committed to encourage the intervenors to file payment requests or releases so that the Commission and other intervenors would have a better idea of funds truly available. The contacted intervenors have not filed requests at the writing of this order.

Commission Resolution

Once a proposed budget is received, we decide whether Issue Fund Grants are available for use based on factors identified in the IFA. We have the authority to accept, deny or partially deny the request, and may place reasonable conditions on the grant.

In light of the issues being addressed, the complexity of the issues and the significant policy decisions to be made, we believe that the proposed budgets presented for consideration may be reasonable; however, the total of the requested amounts exceeds the amount available in the PGE Issue Fund. Therefore, the Commission partially denies each of

¹ The maximum available Issue Funds for any given year does not exceed \$250,000 and depends on the amount of unused issue funds rolled over from the previous year. According to the IFA, a maximum of \$125,000 can rollover. The Commission previously approved Issue Fund Grants from the 2009 PGE Issues Fund in the amounts of \$40,380, \$7,500, and \$34,010 for ICNU's participation in other dockets.

the Issue Fund Grant Requests at issue in this order. In doing so, the Commission is granting each intervenor a portion of the available Issue Funds as set forth below.

CUB's UE 208 proposed budget and Issue Fund Grant request are approved in part. The Commission grants CUB a \$9,110 Issue Fund Grant for UE 208. CUB's UE 209 proposed budget and Issue Fund Grant request are approved in part. The Commission grants CUB a \$6,910 Issue Fund Grant for UE 209. ICNU's UE 208 proposed budget and Issue Fund Grant request are approved in part. The Commission grants ICNU a \$30,470 Issue Fund Grant for UE 208.

Granting these Issue Fund Grants requests essentially depletes the PGE 2009 Issue Fund, if payment in full is requested of the previously approved budgets². The Commission is concerned by this, given that we are not even half way through 2009. It also concerns the Commission that during the processing of these requests, it became evident that contrary to the provisions of Section 6.6 of the IFA, precertified intervenors are not making all reasonable efforts to coordinate with one another and combine their efforts and resources in a case prior to submitting their proposed budgets. The Commission further notes that should the committed funds be released and become available in the 2009 PGE Issue Fund, CUB and ICNU may submit revised proposed budgets and request additional Issue Fund Grants. CUB and ICNU are strongly encouraged to coordinate with one another, combine their efforts and resources, and report to the Commission the extent of such efforts when submitting any such revised proposed budget and request.

ORDER

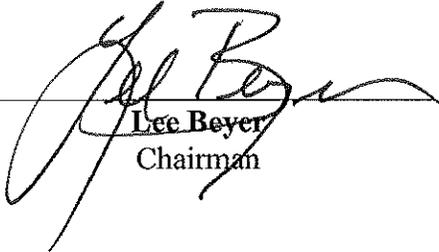
IT IS ORDERED that:

1. The Citizens' Utility Board of Oregon's and the Industrial Customers of Northwest Utilities' proposed budgets for an Issue Fund Grants for docket UE 208 are approved in part.
2. In docket UE 208, an Issue Fund Grant is approved up to \$9,110 for the Citizens' Utility Board of Oregon, and an Issue Fund Grant is approved up to \$30,470 for the Industrial Customers of Northwest Utilities.
3. The Citizens' Utility Board of Oregon's proposed budget for an Issue Fund Grants for docket UE 209 is approved in part.

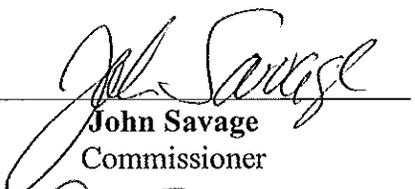
² A balance of less than \$4.00 would remain.

4. In docket UE 209, an Issue Fund Grant is approved up to \$6,910 for the Citizens' Utility Board of Oregon.

Made, entered, and effective JUN 19 2009.



Lee Beyer
Chairman



John Savage
Commissioner



Ray Baum
Commissioner

