

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 197

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY

Request for General Rate Revision.

ORDER

DISPOSITION: ISSUE FUND GRANT RELEASED

In Order No. 08-328, the Commission certified the League of Oregon Cities (LOC) as eligible to receive funds in this docket under the First Amended and Restated Intervenor Funding Agreement (IFA).¹ In Order No. 08-631, the Commission granted LOC's uncontested proposed budget for an Issue Fund Grant in the amount of \$39,720 for this proceeding. In its request, LOC indicated that it would actively participate in all phases of the docket, including clarifying sessions, workshops, settlement conferences, oral presentations, and discovery related hearings. LOC also stated that it would conduct discovery; sponsor expert witness testimony (either independently or jointly with other parties); review filings offered by other parties; and prepare briefs and participate in hearings and oral arguments if needed.

The Commission completed its review of Portland General Electric Company's (PGE) rate filing on January 22, 2009, when it issued Order No. 09-020. The official docket record reflects that LOC did not file testimony or briefs and did not cross-examine witnesses during the proceeding. The Citizens' Utility Board requested reconsideration of Order No. 09-020, and on May 19, 2009, the Commission issued Order No. 09-176, granting reconsideration, modifying and clarifying Order No. 09-020. The record reflects that LOC did not making filings during the reconsideration process. Thus, based on a review of the official record, it appears that LOC's participation in docket UE 197 was limited and ended at the issuance of Order No. 09-020.

After the issuance of Order No. 09-020, PGE filed applications that opened proceedings in other dockets for which precertified intervenors noticed their intent to seek issue funds. Intervenors contacted the Commission requesting that the Commission encourage LOC to submit its request for payment of its UE 197 issue fund grant so that the intervenors would be better able to budget for the upcoming proceedings. The Commission

¹ See Order No. 07-564.

encouraged the intervenors to contact LOC directly. The intervenors filed proposed budget requests in the other PGE dockets, and the Commission acted on those requests in June. On June 19, 2009, the Commission's Chief Administrative Law Judge sent a letter to the LOC regarding the status of its payment request and the status of the PGE Issue Fund. As of September 30, 2009, LOC has not filed a payment request and nor a response to the June 19, 2009, letter.

According to section 7.3 of the First Amended and Restated Intervenor Funding Agreement (IFA), approved in Order No. 07-564, a request for payment of an issue fund grant may be made at any time during the proceeding, but no later than 60 days after the Commission's final order issued in the proceeding becomes final and nonappealable. It is now more than four months after the issuance of Order No. 09-176 and more than 60 days after Order No. 09-176 became final and nonappealable.

After consideration of the above, the Commission finds that the LOC did not file a request for payment of its Issue Fund Grant in a timely manner and that the full amount of the LOC's UE 197 Issue Fund Grant should be released back to the PGE Issue Fund.

ORDER

IT IS ORDERED that the League of Oregon Cities' Issue Fund Grant in the amount of \$39,720 is released back to the Portland General Electric Company Issue Fund.

Made, entered, and effective OCT 01 2009 .



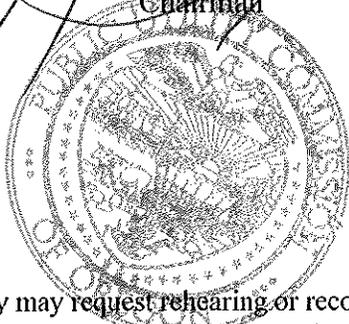
Lee Beyer
Chairman



John Savage
Commissioner



Ray Baum
Commissioner



A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.