

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 217

In the Matter of

PACIFICORP, dba PACIFIC POWER,

Request for a General Rate Revision.

ORDER

**DISPOSITION: PROPOSED BUDGET FOR ISSUE FUND GRANT
APPROVED IN PART**

On June 9, 2010, the Industrial Customers of Northwest Utilities (ICNU) filed a proposed budget for an Issue Fund Grant in this proceeding. ICNU's proposed budget shows eligible expenses in the amount of \$142,750; and it seeks an Issue Fund Grant in the amount of \$45,000. ICNU noted in its proposed budget that its expenses would likely exceed the proposed budget amount if the case was fully litigated and that due to the limited amount available in the Issue Fund of PacifiCorp, dba Pacific Power (Pacific Power), ICNU was limiting its request for funds. On June 10, 2010, PacifiCorp, dba Pacific Power, filed a letter with the Commission stating that settlement in principle had been reached by certain parties.¹

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;

¹ See Pacific Power's letter to ALJ Hardie, filed June 10, 2010, stating that the "settling parties," which included ICNU, had reached a "comprehensive settlement in principle on all issues."

- 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.

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

ICNU became precertified on August 21, 2003, in Order No. 03-502. ICNU's proposed budget includes the requisite information and reflects the schedule adopted in this docket on March 30, 2010.² The proposed budget, however, does not reflect the settlement in principle or the subsequent suspension of the hearing schedule adopted in this docket.³ In a follow-up contact with a representative of the Administrative Hearings Division on June 25, 2010, ICNU's attorney indicated that, rather than submitting a new proposed budget, ICNU planned to prepare a final report after the settlement to release money remaining from the requested issue fund grant.

As of the date of this order, the Pacific Power Issue Fund has an available balance of \$20,737.91. In light of the funds available in the Pacific Power Issue Fund, we approve the proposed budget in part. ICNU's proposed budget is granted approved up to \$20,737.91. We caution all intervenors that the 2010 Pacific Power Issue Fund is now fully allocated and is not available for any new qualifying proceedings for the remainder of the year.

² See ALJ Hardie's March, 30, 2010, Ruling.

³ See ALJ Hardie's June 14, 2010, Ruling.

ORDER

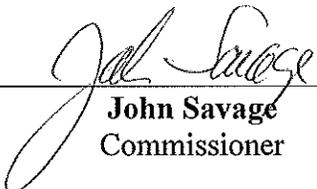
IT IS ORDERED that:

1. The Industrial Customers of Northwest Utilities' proposed budget for an Issue Fund Grant is approved in part.
2. An Issue Fund Grant is approved up to \$20,737.91.

Made, entered, and effective JUN 28 2010.



Ray Baum
Chairman



John Savage
Commissioner



Susan K. Ackerman
Commissioner

