

Davison Van Cleve PC

Attorneys at Law

TEL (503) 241-7242 • FAX (503) 241-8160 • mail@dvclaw.com
Suite 400
333 S.W. Taylor
Portland, OR 97204

January 12, 2011

Via Electronic and US Mail

Public Utility Commission
Attn: Filing Center
550 Capitol St. NE #215
P.O. Box 2148
Salem OR 97308-2148

Re: In the Matter of OREGON PUBLIC UTILITY STAFF Requesting the
Commission direct PORTLAND GENERAL ELECTRIC COMPANY to file
tariffs establishing automatic adjustment clauses under the terms of SB 408.
Docket No. UE 178(4)

Dear Filing Center:

Enclosed please find the original Revised Budget on behalf of the Industrial
Customers of Northwest Utilities in the above-referenced matter.

Thank you for your assistance, and please do not hesitate to contact our office if
you have any additional questions.

Sincerely yours,

/s/ Sarah A. Kohler
Sarah A. Kohler

Enclosures

cc: Service List

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Revised Budget on behalf of the Industrial Customers of Northwest Utilities upon the parties, shown below, on the official service list by causing the foregoing document to be deposited, postage-prepaid, in the U.S. Mail, or by service via electronic mail to those parties who waived paper service.

Dated at Portland, Oregon, this 12th day of January, 2011.

/s/ Sarah A. Kohler
Sarah A. Kohler

CITIZENS' UTILITY BOARD OF OREGON (W) ROBERT JENKS G. CATRIONA MCCRACKEN GORDON FEIGHNER 610 SW BROADWAY STE 308 PORTLAND OR 97205 catriona@oregoncub.org gordon@oregoncub.org bob@oregoncub.org	DANIEL W MEEK 10949 SW 4TH AVE PORTLAND OR 97219 dan@mEEK.net
DEPARTMENT OF JUSTICE JASON W JONES REGULATED UTILITY & BUSINESS SECTION 1162 COURT ST NE SALEM OR 97301-4096 jason.w.jones@state.or.us	KAFOURY & MCDUGAL LINDA K WILLIAMS 10266 SW LANCASTER RD PORTLAND OR 97219-6305 linda@lindawilliams.net
PORTLAND GENERAL ELECTRIC DOUG TINGEY 121 SW SALMON ST 1WTC13 PORTLAND OR 97204 doug.tingey@pgn.com	PORTLAND GENERAL ELECTRIC RATES & REGULATORY AFFAIRS 121 SW SALMON ST 1WTC0702 PORTLAND OR 97204 pge.opuc.filings@pgn.com
OREGON PUBLIC UTILITY COMMISSION (W) CARLA BIRD REVENUE REQUIREMENTS ANALYST PO BOX 2148 SALEM OR 97308-2148 carla.bird@state.or.us	GDS ASSOCIATES, INC. ELLEN BLUMENTHAL 13517 QUEEN JOHANNA CT CORPUS CHRISTI TX 78418 ellen.blumenthal@gdsassociates.com
	PUBLIC UTILITY COMMISSION OF OREGON (W) DEBORAH GARCIA PO BOX 2148 SALEM OR 97308-2148 deborah.garcia@state.or.us

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UE 178(4)

In the Matter of)	
)	
OREGON PUBLIC UTILITY STAFF)	
)	
Requesting the Commission Direct)	
)	
PORTLAND GENERAL ELECTRIC)	REVISED BUDGET FOR ISSUE FUND
COMPANY,)	GRANT OF THE INDUSTRIAL
)	CUSTOMERS OF NORTHWEST
)	UTILITIES
To File Tariffs Establishing Automatic)	
Adjustment Clauses Under the Terms of)	
SB 408.)	

On November 30, 2010, the Industrial Customers of Northwest Utilities (“ICNU”) filed a Proposed Budget for an Issue Fund Grant in UE 178(4). On January 5, 2011, the Public Utility Commission of Oregon (“Commission”) denied the Proposed Budget on the grounds that the proposed work was outside the scope of the proceedings in this docket. Order No. 11-002. Pursuant to the Commission’s order, ICNU files this Revised Budget in UE 178(4) for an Issue Fund Grant in the amount of \$35,738. The proposed work in this Revised Budget is consistent with the scope of the proceeding identified in Order 11-002. ICNU proposes that this grant be funded from the 2011 Portland General Electric Company (“PGE”) Issue Fund Account. ICNU respectfully requests that the Commission act on this Proposed Budget within fourteen days of receipt, as provided in Section 6.4 of the IFA. The following information is provided in accordance with Section 6.3 of the IFA:

(1) Statement of the work to be performed by ICNU for which ICNU is seeking the Issue Fund Grant:

ICNU has retained Davison Van Cleve, P.C. to represent ICNU in UE 178(4). These proceedings deal with the review of PGE's 2009 tax report for the automatic adjustment clause pursuant to Senate Bill ("SB") 408. The IFA defines an Eligible Proceeding as "any Commission proceeding that directly affects one or more of the Participating Public Utilities." IFA, Section 1(c). UE 178(4) directly affects PGE, which falls under the definition of "Participating Public Utility" in Section 1(k) of the IFA. Therefore, UE 178(4) is an Eligible Proceeding and an Issue Fund Grant may be made for this proceeding under Section 6.1 of the IFA.

Much of the work identified in the Revised Budget has already been completed. ICNU has attended extensive workshops and settlement conferences in this proceeding. In addition, ICNU and its outside expert have conducted extensive discovery, including multiple visits to the safe room. All of the work performed to date is consistent with the scope of the proceeding set out in Order 11-002. On January 11, 2011, Staff filed a Motion to Modify the Schedule in this docket to consider a proposed settlement.

(2) Description of the areas to be investigated by ICNU:

ICNU intends to investigate whether PGE's 2009 tax report is consistent with OAR-860-022-041, and to respond to the settlement proposed by Staff and PGE.

(3) Description of the particular customer class or classes that will benefit from the intervenor's participation:

ICNU's participation will directly benefit industrial and all other large non-residential customers who purchase service from PGE in Oregon.

(4) Identification of the specific Fund Account from which ICNU is seeking the Issue Fund Grant:

ICNU is seeking an Issue Fund Grant in the amount of \$35,738. ICNU proposes that the grant amount be allocated from the 2011 PGE Issue Fund Account established under IFA Section 4.2.3. ICNU anticipates that the 2011 PGE Issue Fund will have approximately \$144,000, which includes a 2010 rollover of approximately \$19,092.88. Based on actual expenses to date, ICNU expects that its expenses in this proceeding will exceed the amounts identified in the Revised Budget. Nevertheless, ICNU is only seeking the amount of its original request.

(5) Budget showing estimated attorney and consultant fees and expert witness fees:

Attached as Exhibit A is ICNU's Revised Budget in UE 178(4). The proposed budget assumes that most of the issues in this case will be settled. In addition, the Revised Budget is primarily based on actual expenditures that have already been incurred.

(6) Matching Funds

ICNU represents that it will use matching funds in the form of either in-house resources or outside funding to account for or pay at least 20% of the Eligible Expenses for which ICNU is seeking an Issue Fund Grant.

Basis for Request

ICNU respectfully requests that the Commission grant its full request for this Issue Fund Grant based on the following considerations:

1. UE 178(4) involves analysis of PGE's 2009 tax report filing pursuant to OAR-860-022-0041. As a result, UE 178(4) has a direct impact on all customers of PGE in Oregon.

2. UE 178(4) could have a significant impact on customer rates. The Commission should solicit as much input as possible from customers.

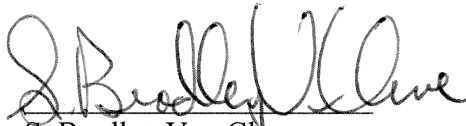
3. ICNU has been pre-certified under Section 5.2(b)(2) of the IFA and OAR § 860-012-0100(3) as eligible to receive an Issue Fund Grant by Order No. 03-502, which was entered on August 21, 2003.

4. ICNU represents the interests of industrial customers and has significant experience participating in Commission proceedings involving rates, adjustment mechanisms, and SB 408. ICNU's participation will benefit all PGE industrial customers.

Therefore, ICNU respectfully requests that the Commission issue an order granting an issue fund grant in the amount specified above.

Dated this 12th day of January, 2011.

Respectfully submitted,



S. Bradley Van Cleve
Irion A. Sanger
333 S.W. Taylor, Suite 400
Portland, Oregon 97204
(503) 241-7242 phone
(503) 241-8160 facsimile
bvc@dvclaw.com
ias@dvclaw.com
Of Attorneys for the Industrial Customers
of Northwest Utilities

Exhibit AICNU Revised Budget for Issue Fund Grant

<u>Category</u>	<u>Personnel</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
<i>Discovery</i>	Sr. Attorney	5	225.00	1,125.00
Draft data requests, respond to data requests, organize discovery, review discovery responses, discovery disputes, depositions	Assoc. Attorney	3	185.00	555.00
	Paralegal	3	125.00	375.00
<i>Case Preparation</i>	Sr. Attorney	10	225.00	2,250.00
Review filings and testimony, legal research, develop case strategy, prepare testimony, communications with expert witnesses, prepare issue statements	Assoc. Attorney			
	Paralegal	2.5	125.00	312.50
<i>Procedural Matters</i>	Sr. Attorney	2	225.00	450.00
Draft and review pleadings, hearings regarding procedural issues	Assoc. Attorney	4	185.00	740.00
	Paralegal	1.5	125.00	187.50
<i>Settlement</i>	Sr. Attorney	5	225.00	1,125.00
Prepare for and attend settlement meetings, draft settlement documents	Assoc. Attorney	1.5	185.00	277.50
	Paralegal	1	125.00	125.00
<i>Communication</i>	Sr. Attorney	2	225.00	450.00
Meetings and communications with clients and third parties				
<i>Hearings/Workshops</i>	Sr. Attorney	15	225.00	3,375.00
Preparation and attendance at hearings, workshops and other Commission sponsored meetings	Assoc. Attorney	7.5	185.00	1,387.50
<i>Briefing</i>	Sr. Attorney	10	225.00	2,250.00
Draft briefs, legal research related to briefs	Assoc. Attorney	10	185.00	1,850.00
	Paralegal	1.5	125.00	187.50
	Total Hours	84.5	Sub-Total	17,022.50
<u>Expert Consultant and Witness Fees</u>				
Expert Consultant/Witness 1				25,000.00
			Sub-Total	25,000.00
<u>Expenses</u>				
Expert/Consultant Expenses				2,500.00
Printing and Reproduction				150.00
			Sub-Total	2,650.00
			<u>Grand Total</u>	44,672.50
 In-House Resources				
20% of Eligible Expenses				8,934.50
			ICNU PGE Issue Fund Grant Budget Eligibility: \$	35,738.00
			Total ICNU PGE Issue Fund Grant Proposed Budget: \$	35,738.00

(ICNU is requesting less money than it expects to expend in this docket.)