

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 196**

In the Matter of	)	
	)	
PORTLAND GENERAL ELECTRIC	)	PROPOSED BUDGET FOR
COMPANY	)	ISSUE FUND GRANT OF THE
	)	INDUSTRIAL CUSTOMERS OF
Application to Amortize the Boardman	)	NORTHWEST UTILITIES
Deferral	)	

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Pursuant to Section 6.3 of the First Amended and Restated Intervenor Funding Agreement (“IFA”) approved by the Oregon Public Utility Commission (Commission) by Order No. 07-564 (December 19, 2007), the Industrial Customers of Northwest Utilities (“ICNU”) files this Proposed Budget in UE 196 (the “Proceeding”) for an Issue Fund Grant in the amount of \$40,380. ICNU will bear all its costs in this proceeding that exceed \$40,380 in order to leave additional Issue Funds available for other parties and future proceedings. ICNU proposes that this grant be funded from the 2009 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 the next phase of UE 196. In UE 196, PGE filed an Application to Amortize the Boardman Deferral. 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 196 directly affects PGE, which

falls under the definition of “Participating Public Utility” in Section 1(k) of the IFA. Therefore, UE 196 is an Eligible Proceeding and an Issue Fund Grant may be made for this proceeding under Section 6.1 of the IFA. ICNU participated in a previous phase of UE 196, but has not previously requested an Issue Fund Grant in this Docket. At the Prehearing Conference on December 10, 2008, the Administrative Law Judge acknowledged that ICNU intended to seek an Issue Fund Grant and allowed ICNU to file this proposed budget.

ICNU will attend all clarifying sessions, workshops, settlement conferences, public meetings, oral presentations and hearings in UE 196. ICNU plans to conduct extensive discovery in this proceeding. In addition, ICNU will submit expert witness testimony and briefs as called for by the procedural schedule in this Docket.

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

ICNU intends to investigate issues identified in the bench request, dated December 8, 2008, in this Docket, as well as other issues that may arise during the course of this case.

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

ICNU’s participation will directly benefit industrial customers, as well as all other large non-residential customers who purchase service from PGE.

**(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 \$40,380. ICNU will bear the cost of its participation to the extent that its costs exceed the amount requested. ICNU proposes that the grant amount be allocated from the PGE Issue Fund Account established under

IFA Section 4.2.3. ICNU has been informed that the amount available in the 2009 PGE Issue Fund Account is \$125,000.00.

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

Attached as Exhibit A is ICNU's proposed budget in UE 196. The proposed budget was based on experience with the costs incurred in prior phases of this proceeding.

**(6) Matching Funds**

ICNU represents that it will use matching funds to account for or pay at least 20% of the Eligible Expenses for which ICNU is seeking an Issue Fund Grant. As such, ICNU seeks an issue fund grant for 80% of its proposed budget in this proceeding.

**Basis for Request**

ICNU respectfully requests that the Commission grant its request for this Issue Fund Grant in the amount of \$40,380 based on the following considerations:

1. ICNU has been actively participating in UE 196, a case related to recovery of Boardman outage costs. UE 196 has become much more complex than originally contemplated. ICNU has filed two rounds of testimony and two rounds of briefs.
2. In this phase of UE 196, ICNU expects to conduct discovery, and file testimony and briefs. In addition, ICNU will likely file a motion for reconsideration of the Commission's decision to reopen the record in this Docket.
3. ICNU represents the interests of industrial customers and has significant experience participating in Commission proceedings involving PGE. ICNU's participation will benefit all PGE industrial and large non-residential customers. Thus, ICNU possesses significant interest and expertise with respect to this proceeding.

4. 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.

Therefore, ICNU respectfully requests that the Commission issue an order granting an Issue Fund Grant in the amount specified above.

Dated this 16th day of December, 2008.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ S. Bradley Van Cleve

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Of Attorneys for Industrial Customers  
of Northwest Utilities

UE 196

Exhibit A

ICNU Proposed Budget for Issue Fund Grant

Personnel	Hours	Rate	Cost
<i>Attorney Fees</i>			
Senior Attorney	90	\$225.00	\$20,250
Associate Attorney	35	\$185.00	\$6,475
Paralegal	20	\$125.00	\$2,500
<i>Expert Witness Fees</i>			
Witness 1 (Forced Outage)			\$20,000
<i>Other Expenses</i>			
Travel			\$250
Printing and Postage			\$1,000
Total			\$50,475
<hr/>			
20% of ICNU Funded Expenditures			\$10,095
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		Total	\$40,380

# Davison Van Cleve PC

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December 16, 2008

***Via Electronic and U.S. 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 PORTLAND GENERAL ELECTRIC COMPANY  
Application to Amortize the Boardman Deferral.  
**Docket No. UE 196**

Dear Filing Center:

Enclosed please find the original of the Proposed Budget for Issue Fund Grant on behalf of the Industrial Customers of Northwest Utilities ("ICNU") in the above-captioned docket.

Thank you for your assistance.

Sincerely yours,

/s/ Brendan E. Levenick  
Brendan E. Levenick

Enclosures  
cc: Service List

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Proposed Budget for Issue Fund Grant of the Industrial Customers of Northwest Utilities upon the parties indicated below by causing the same to be deposited in the U.S. Mail, postage-prepaid, where paper service has not been waived.

Dated at Portland, Oregon, this 16th day of December, 2008.

/s/ Brendan E. Levenick

Brendan E. Levenick

### **CITIZENS' UTILITY BOARD OF OREGON**

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| (C) = Confidential