

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UG 171(3)**

In the Matter of

OREGON PUBLIC UTILITY STAFF

Requesting the Commission Direct

AVISTA

to File Tariffs Establishing Automatic
Adjustment Clauses Under the Terms of
SB 408.

MOTION FOR LEAVE TO FILE OUT OF
TIME AND NOTICE OF INTENT TO
REQUEST AN ISSUE FUND GRANT OF
THE CITIZENS' UTILITY BOARD
OF OREGON

The Citizens Utility Board of Oregon (CUB) files this Motion for Leave to File Out of Time and Notice of Intent to Request an Issue Fund Grant in UG 171(3), pursuant to OAR 860-012-0100 and the First Amended and Restated Intervenor Funding Agreement (IFA), approved by the Oregon Public Utility Commission (Commission) in Order No. 07-576 (December 20, 2007). CUB's Notice is filed out of time due to the absence of its attorney on the filing date – Ms. McCracken was attending the NASUCA conference in Chicago and Mr. Feighner attempted the filing on her behalf but inadvertently omitted to file electronically with the PUC even though service was effected on the other parties. For ease of review CUB repeats the Notice below and includes the additional subsection (3) identifier in the title of this Notice and the body of the document.

UG 171(3) MOTION FOR LEAVE TO FILE OUT OF TIME AND NOTICE OF INTENT TO
REQUEST AN ISSUE FUND GRANT OF THE CITIZENS' UTILITY BOARD
OF OREGON

1. UG 171(3) is an Eligible Proceeding under the IFA. 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).
2. As required by IFA Section 6.2, this Notice of Intent is being served on each affected Participating Public Utility, all precertified organizations, and all parties identified on the service list from UG 171(3).
3. CUB identifies the 2009 Avista Issue Fund Account as the account from which CUB intends to request the Issue Fund Grant.
4. CUB has been precertified under Section 5.2(a) of the IFA and OAR 860-012-0100(3)(a), as eligible to receive an Issue Fund Grant.
5. If CUB’s Motion for leave to file its Notice of Intent out of time is granted CUB will file a proposed budget with respect to the Issue Fund Grant, as provided in Section 6.3 of the IFA, by the deadline set in the Prehearing Conference Memorandum.

Dated this 19th day of November, 2009.

Respectfully submitted,



G. Catriona McCracken
Staff Attorney
The Citizens' Utility Board of Oregon
610 SW Broadway, Ste. 308
Portland, OR 97205
(503)227-1984
Catriona@oregoncub.org

UG 171(3) MOTION FOR LEAVE TO FILE OUT OF TIME AND NOTICE OF INTENT TO
REQUEST AN ISSUE FUND GRANT OF THE CITIZENS’ UTILITY BOARD
OF OREGON

UG 171(3) – CERTIFICATE OF SERVICE

I hereby certify that, on this 19th day of November 2009, I served the foregoing MOTION FOR LEAVE TO FILE OUT OF TIME AND NOTICE OF INTENT TO REQUEST AN ISSUE FUND GRANT OF THE CITIZENS' UTILITY BOARD OF OREGON upon all parties of record in docket UG 171(3), as listed in the PUC Service List, by email and, where paper service is not waived, by U.S. mail, postage prepaid, and upon the Commission by email and by sending an original and 1 copy by U.S. mail, postage prepaid, to the Commission's Salem offices.

(W) Denotes waiver of paper service

(C) Denotes service of confidential material authorized

W CABLE HUSTON BENEDICT C
HAAGENSEN & LLOYD LLP
Chad M. Stokes
1001 SW 5th – STE 2000
Portland OR 97204
cstokes@cablehuston.com

C/HC Kafoury & McDougal
Linda K. Williams
Attorney At Law
10266 SW Lancaster Rd.
Portland OR 97219-6305
Linda@lindawilliams.net

Daniel W. Meek
Attorney At Law
10949 SW 4th Avenue
Portland, OR 97219
dan@meek.net

C/HC C/HC AVISTA CORPORATION
Ron McKenzie
Mgr.–Reg. Accounting
PO Box 3727
Spokane WA 99220-3727
Ron.mckenzie@avistacorp.com

AVISTA CORPORATION
David J. Meyer
PO Box 3727
Spokane, WA 99220-3727
David.meyer@avistacorp.com

DAVISON VAN CLEAVE PC
Irion Sanger
333 SW Taylor – Suite 400
Portland, OR 97204
mail@dvclaw.com

DAVISON VAN CLEAVE PC
Melinda J. Davison
333 SW Taylor – Suite 400
Portland, OR 97204
mail@dvclaw.com

NORTHWEST INDUSTRIAL W
GAS USERS
Paula Pyron
4113 Wolf Berry Ct
Lake Oswego, OR 97035-1827

Oregon DOJ
Jason W Jones
Assistant Attorney General
1162 Court St. NE
Salem, OR 97301-4096
Jason.w.jones@state.or.us

C

W

Energy Action Northwest
Edward A Finklea
PO Box 8308
Portland OR 97207
efinklea@energyactionnw.org

C

W PORTLAND GENERAL ELECTRIC

Douglas C Tingey
121 SW Salmon St –
1WTC13
Portland, OR 97204
doug.tingey@pgn.com

W

PORTLAND GENERAL ELECTRIC

Randy Dahlgren
121 SW Salmon St –
1WTC0702
Portland, OR 97204
pge.opuc.filings@pgn.com

TONKON TORP LLP

David F White
888 SW Fifth Ave –
Suite 1400
Portland, OR 97204
davidw@tonkon.com

Respectfully submitted,



G. Catriona McCracken
Staff Attorney
The Citizens' Utility Board of Oregon
610 SW Broadway, Ste. 308
Portland, OR 97205
(503)227-1984
Catriona@oregoncub.org