

CHAD M. STOKES

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December 2, 2009

**VIA ELECTRONIC FILING  
& FIRST CLASS MAIL**

Oregon Public Utility Commission  
Attn: Filing Center  
550 Capitol Street, N.E., #215  
P.O. Box 2148  
Salem, Oregon 97308-2148

Re: In the Matter of the OREGON PUBLIC UTILITY STAFF Requesting the Commission direct AVISTA UTILITIES to file tariffs establishing automatic adjustment clauses under the terms of SB 408

Docket No. UG-171(3)

**Proposed Budget of the Northwest Industrial Gas Users**

Dear Filing Center:

Pursuant to OAR § 860-012-0100(4), the First Amended and Restated Intervenor Funding Agreement (“IFA”), approved by the Oregon Public Utility Commission (“Commission”) in Order No. 07-564 (December 19, 2007), and Administrative Law Judge (ALJ) Grant’s Prehearing Conference Memorandum dated November 6, 2009, the Northwest Industrial Gas Users (NWIGU) hereby respectfully submit an issue fund budget of \$11,080.

Article 6.3 of the IFA, provides that precertified intervenors seeking an issue fund grant must submit a proposed budget to the Commission. Accordingly, NWIGU has attached a detailed budget as Appendix A. In addition, the IFA requires the following information:

**1. A Statement of the Work to be Performed.**

NWIGU will participate in all stages of the Oregon Public Utility Commission’s investigation into Avista Utilities’ tariff filings establishing automatic adjustment clauses under the terms of SB 408. This includes review of Avista’s filing, participation in workshops, drafting

testimony and briefs, legal research regarding Avista's confiscatory claim and participation at hearing.

**2. A Description of the Areas to be Investigated.**

NWIGU will focus its efforts on evaluating Avista's filing for compliance with SB 408 and to ensure that any refunds due ratepayers are returned in a fair and equitable manner consistent with Commission precedent.

**3. A Description of the Particular Customer Class(es) That Will Benefit From the Intervenor's Participation.**

NWIGU is a nonprofit association comprised of thirty-nine end users of natural gas with major facilities in the states of Oregon, Washington, and Idaho. NWIGU members include diverse industrial interests, including food processing, pulp and paper, wood products, electric generation, aluminum, steel, chemicals, electronics, and aerospace. NWIGU members take service from gas utilities under industrial rate schedules. Accordingly, NWIGU advocacy will benefit the industrial rate class.

**4. Identification of the Specific Fund Accounts From Which the Intervenor is Seeking Monies.**

NWIGU identifies the Avista Utilities Account as the account from which NWIGU is seeking monies. NWIGU is not seeking funds from any other account.

**5. A Budget Showing Estimated Attorney, Consultant and Expert Witness Fees, Which May Include the Cost for Appropriate Support Staff and Operations Support.**

NWIGU has attached a detailed budget for NWIGU's participation in this proceeding as Appendix A.

**6. Representation that 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.**

NWIGU 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 percent of the Eligible Expenses.

**CONCLUSION**

NWIGU respectfully request that the Commission approve its proposed budget for an issue fund grant in the amount of \$11,080.

CABLE HUSTON

December 2, 2009

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Should you have any questions regarding this filing, please call.

Very truly yours,



Chad M. Stokes

CMS:ca

Enclosure(s)

cc: UG-171(3) Service List

APPENDIX A

UG 171(3)

NWIGU PROPOSED BUDGET FOR ISSUE FUND

<u>Work to be Performed</u>	<u>Personnel</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Issues List	Partner	1	\$185	\$185
Testimony	Partner	10	\$185	\$1850
	Associate	3	\$145	\$ 435
Legal Research and Briefs	Partner	30	\$185	\$5550
	Associate	30	\$145	\$4350
Hearing	Partner	8	\$185	\$ 1480
<b>Total Hours</b>		<b>82</b>		
<b>Grand Total</b>				<b>\$13,850</b>
<b>Issue Fund Request</b>				<b>\$11,080</b>

**CERTIFICATE OF SERVICE**

I CERTIFY that I have on this day served the foregoing document upon all parties of record in this proceeding via electronic mail or by mailing a copy properly addressed with first class postage prepaid if the party had not waived paper service.

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Dated in Portland, Oregon, this 2<sup>nd</sup> day of December, 2009.



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Of Attorneys for the Northwest Industrial Gas Users