

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1276

In the Matter of)	
)	
PUBLIC UTILITY COMMISSION OF)	PETITION TO INTERVENE OF THE
OREGON STAFF'S)	INDUSTRIAL CUSTOMERS OF
)	NORTHWEST UTILITIES
Request to open an investigation regarding)	
performance-based ratemaking mechanisms to)	
address potential build-vs-buy bias)	
_____)	

Pursuant to ORS § 756.525 and OAR § 860-012-0001, the Industrial Customers of Northwest Utilities (“ICNU”) petitions the Public Utility Commission of Oregon (“OPUC” or the “Commission”) to intervene in this proceeding with full party status as described in OAR § 860-011-0035(5). In support of this petition, ICNU represents as follows:

1. The business address of ICNU is:

Michael Early
Industrial Customers of Northwest Utilities
333 S.W. Taylor, Suite 400
Portland, OR 97204

2. ICNU will be represented in this proceeding by Davison Van Cleve P.C.

All documents relating to these proceedings should be served on ICNU’s attorneys and consultant at the following addresses:

Melinda J. Davison	Randall Falkenberg
Irion Sanger	RFI Consulting
Davison Van Cleve, P.C.	PMB 362
333 S.W. Taylor, Suite 400	8343 Roswell Rd.
Portland, Oregon 97204	Sandy Springs, GA 30350
(503) 241-7242	(770) 379-0505
Email: mail@dvclaw.com	Email: consultrfi@aol.com

3. ICNU is an incorporated, non-profit association of large industrial electric customers in the Pacific Northwest, with offices in Portland, Oregon. A list of ICNU members is included as Attachment A. Many of ICNU's members are customers of PacifiCorp and Portland General Electric Company ("PGE"), two investor-owned utilities that may be affected by any policies adopted in this proceeding.

4. ICNU has a substantial interest in the Commission's investigation regarding performance-based ratemaking mechanisms to address potential build-vs-buy biases. ICNU's members have a strong interest in eliminating any biases regarding utilities' resource procurement processes to ensure that the utilities acquire the lowest-cost resources to serve customers.

5. ICNU's intervention in this proceeding will assist the Commission in resolving the issues and will not unreasonably broaden the issues, burden the record, or delay this proceeding. ICNU has participated in UM 1066, the New Resource Development docket which this proceeding will bring to final resolution.

6. As described above, ICNU has a direct and substantial interest in this proceeding that will not be adequately represented by any other party, and may be affected by any Commission determination made in connection with these proceedings. It is in the public interest to allow ICNU to intervene in this proceeding.

WHEREFORE, ICNU respectfully requests that the Commission grant its petition to intervene with full party status in this proceeding.

Dated this 28th day of September, 2006.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ Irion Sanger

Melinda J. Davison

Irion Sanger

333 S.W. Taylor, Suite 400

Portland, Oregon 97204

(503) 241-7242 phone

(503) 241-8160 facsimile

mail@dvclaw.com

Of Attorneys for Industrial Customers
of Northwest Utilities

ATTACHMENT A
INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES

Air Liquide
Air Products
BPB Gypsum, Inc.
Blue Heron Paper Company
Boeing
Boise Cascade
CNC Containers, Northwest
Chemi-Con Materials Corporation
Dyno Nobel, Inc.
ConAgra Foods
Eka Chemicals, Inc.
Evanite Fiber
Georgia-Pacific
Grays Harbor Paper, L.P.
Hewlett-Packard
Inland Empire Paper Co.
Intel
J.R. Simplot
Kimberly-Clark Corporation
Longview Fibre
Microsoft Corporation
Norpac Foods
Noveon Kalama, Inc.
Oregon Steel Mills
PCC Structural, Inc.
Ponderay Newsprint Co
Shell Oil Products US
Simpson Paper
Simpson Timber
Solar Grade Silicon LLC
SP Newsprint Co.
Tesoro Refining and Marketing Co.
Wah Chang
West Linn Paper Company
Weyerhaeuser

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

September 28, 2006

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 PUBLIC UTILITY COMMISSION OF OREGON STAFF'S
Request to open an investigation regarding performance-based ratemaking
mechanisms to address potential build-vs-buy bias
Docket No. UM 1276

Dear Filing Center:

Enclosed please find an original and two copies of the Petition to Intervene of the Industrial Customers of Northwest Utilities in the above-referenced docket.

Please return one file-stamped copy of the document in the self-addressed, stamped envelope provided. Thank you for your assistance.

Sincerely,

/s/ Christian Griffen
Christian W. Griffen

Enclosures

cc: Service List

CERTIFICATE OF SERVICE

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

Dated at Portland, Oregon, this 28th day of September, 2006.

/s/ Christian Griffen
Christian W. Griffen

CITIZENS' UTILITY BOARD OF OREGON LOWREY R BROWN JASON EISDORFER ROBERT JENKS 610 SW BROADWAY, SUITE 308 PORTLAND OR 97205 lowrey@oregoncub.org jason@oregoncub.org bob@oregoncub.org	NORTHWEST ENERGY COALITION STEVEN WEISS 4422 OREGON TRAIL CT NE SALEM OR 97305 steve@nwenergy.org
--	--