

APPENDIX D

Forms for the Submittal of Funding Requests

**Example of Process Used To Procure Intervenor Payment From the Issues Fund in Avista
Docket No. UG-389 (GRC)**

<u>March 16, 2020</u>	Avista Filed GRC
March 20, 2020	AWEC files Notice of Intent to Request Issue Fund Grant
April 23, 2020	AWEC files Proposed Issue Fund Budget
May 11, 2020	AWEC files Amended Budget
May 12, 2020	ALJ issues Order approving Proposed Budget
December 10, 2020	OPUC Order Approving Rate Case Settlement
January 8, 2021	AWEC files its Request For Final Payment
February 19, 2021	Order Approving Issue Fund Grant
<u>By March 19, 2021</u>	Avista Makes a Payment Within 30 days

*After giving effect to a 20% matching offset for in-house contributions by AWEC.

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UG 389

In the Matter of

AVISTA CORPORATION, dba AVISTA
UTILITIES,

Request for a General Rate Revision.

ALLIANCE OF WESTERN ENERGY
CONSUMERS' NOTICE OF INTENT
TO REQUEST ISSUE FUND GRANT

Pursuant to OAR 860-001-0120 and the Fourth Amended and Restated Intervenor Funding Agreement (“IFA”), approved by the Oregon Public Utility Commission (“Commission”) in Order No. 18-017 (January 17, 2018), Alliance of Western Energy Consumers (“AWEC”) hereby respectfully submits this Notice of Intent to Request an Issue Fund Grant in Docket UG 389. As required by the IFA, AWEC asserts the following:

1. UG 389 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). UG 389 will directly affect Avista Corporation, dba Avista Utilities (“Avista”), a Participating Public Utility under Section 1(n) of the IFA. Therefore, an Issue Fund Grant is permissible under Section 6.1 of the IFA.

2. As required by IFA Section 6.2, this Notice of Intent is being served on each affected Participating Public Utility, all pre-certified organizations, and all parties identified on the service list for UG 389.

3. AWEC identifies the Avista Issue Fund Account as the account from which AWEC intends to request the Issue Fund Grant. The amount of the request will depend on the availability of funds in that account when AWEC submits a budget.

4. AWEC is the successor to Northwest Industrial Gas Users (“NWIGU”), which is precertified under Section 5.2 of the IFA and OAR § 860-001-0120(3) as eligible to receive an Issue Fund Grant. AWEC continues to meet the precertification requirements of Section 5.2 of the IFA because: it is a non-profit organization, the primary purpose of which is to represent utility customers’ interests on an ongoing basis; it represents a broad group of customers directed at public utility rates; it has already demonstrated an ability to effectively represent large energy users and substantively contribute to the record on behalf of those customers; and its members that are customers contribute a significant portion of AWEC’s overall funding.

5. AWEC will submit a budget in accordance with Section 6.3 of the IFA. AWEC will also coordinate with the Citizens’ Utility Board of Oregon before filing its budget.

Dated this 17th day of March 2020.

Respectfully submitted,



Chad M. Stokes, OSB No. 004007
Tommy A. Brooks, OSB No. 076071
Cable Huston LLP
1455 SW Broadway, Suite 1500
Portland, OR 97201-3176
Telephone: (503) 224-3092
Facsimile: (503) 224-3176
E-Mail: cstokes@cablehuston.com
tbrooks@cablehuston.com

Attorneys for
Alliance of Western Energy Consumers



CHAD M. STOKES
ADMITTED IN OREGON AND WASHINGTON

cstokes@cablehuston.com

April 23, 2020

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

Re: In the Matter of Avista's Request for Rate Revision
(Docket No. UG 389)
Proposed Issue Fund Budget of the Alliance of Western Energy Consumers

Dear Filing Center:

Pursuant to OAR 860-001-0120 and the Fourth Amended and Restated Intervenor Funding Agreement ("IFA"), approved by the Public Utility Commission of Oregon ("Commission") in Order No. 18-017 (January 17, 2018), Alliance of Western Energy Consumers ("AWEC") hereby respectfully submits an Issue Fund Budget of \$65,375.00, which after 20% match by AWEC (\$13,075.00), would result in a maximum net requested Issue Fund Grant of \$52,300.00. However, due to the amount currently available in the Avista Issue Fund, AWEC is seeking an Issue Fund Grant of \$41,500.00. To the extent AWEC's actual costs exceed the maximum Issue Fund Grant amount, AWEC will seek Matching Funds. AWEC has coordinated this request with the request made by Oregon Citizens' Utility Board ("CUB").

Article 6.3 of the IFA provides that precertified intervenors seeking an Issue Fund Grant must submit a proposed budget to the Commission. Accordingly, AWEC has attached a detailed budget as Appendix A. AWEC's proposed budget is based on AWEC's full participation in this proceeding, including time and expenses that have already been incurred to date.

The IFA also requires the following information:

1. A Statement of the Work to be Performed.

AWEC has participated and will continue to participate in all stages of this proceeding. This includes: (a) a review of the initial filing and testimony of Avista Corporation, dba Avista Utilities ("Avista"); (b) drafting discovery and reviewing discovery responses; (c) drafting testimony and reviewing the testimony of other parties; (d) drafting briefs and reviewing briefs of other parties; (e) participating in the scheduled workshop; (f) participating in settlement

conferences; and (g) participating in the evidentiary hearing. AWEC has retained a consultant to assist legal counsel in this proceeding.

2. A Description of the Areas to be Investigated.

AWEC has and will focus on all aspects of Avista's requested increase to natural gas distribution rates. This includes a review and analysis of the requested revenue requirement, proposed capital additions, cost of service and rate spread and rate design.

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

AWEC is a nonprofit association of end users of natural gas with major facilities in the states of Oregon, Washington, and Idaho. AWEC's gas members include diverse industrial and commercial interests, including food processing, pulp and paper, wood products, electric generation, aluminum, steel, chemicals, electronics, aerospace, and healthcare providers. AWEC members take service from local distribution companies under industrial rate schedules. Accordingly, AWEC's advocacy will benefit the industrial rate class. AWEC's focus on the overall revenue requirement will benefit all customers, including residential customers.

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

AWEC identifies the Avista Issue Fund Account as the account from which AWEC is seeking monies. As of the date of this submittal, the uncommitted balance of that fund is \$42,338.26 after taking into account CUB's budget and Issue fund Grant of \$41,005.00 approved in Order No. 20-107. To the extent AWEC incurs costs that exceed its request, it will seek matching funds.

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

AWEC has attached a detailed budget for AWEC'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.

AWEC 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.

April 23, 2020

Page 3

CONCLUSION

AWEC respectfully requests that the Commission approve its Issue Fund Budget in the amount of \$65,375.00. AWEC further requests approval of an Issue Fund Grant in an amount of \$41,500.00 from 2020 funds in the Avista Issue Fund account.

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

Very truly yours,

A handwritten signature in blue ink, appearing to read "Chad M. Stokes", with a long horizontal flourish extending to the right.

Chad M. Stokes

**UG 366
AWEC PROPOSED BUDGET FOR ISSUE FUND**

Legal Counsel

<u>Work to be Performed</u>	<u>Personnel</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Review of initial rate case filing, draft intervention, attendance at prehearing conference and draft data requests and review responses to data requests; review discovery and responses from other parties	Partner	35	\$275	\$9,625
Prepare for and attend three settlement Conferences	Partner	25	\$275	\$6,875
Research, draft and edit opening and rebuttal Testimony; review testimony from other parties	Partner	35	\$275	\$9,625
Research, draft and edit brief and review briefs filed by other parties	Partner	40	\$275	\$11,000
Prepare for and attend evidentiary hearing; prepare for and attend oral argument	Partner	30	\$275	\$8,250
Total AWEC Budget for Legal Services				\$45,375
Less 20% Match Using In-house Resources				\$9,075
Total AWEC Request for Legal Services				\$36,300

Estimated Expert Witness Budget for Issue Fund Grant

AWEC has retained Brad Mullins to assist with AWEC’s analysis in this matter. AWEC may also use other expert witnesses in this proceeding to address other issues.

<u>Personnel</u>	<u>Title</u>	<u>Rate</u>
Bradley Mullins	Consultant	\$224/hour

Review filing, testimony, exhibits, workpapers, assistance with the preparation of data requests; review of the utility's books, records and other relevant materials; analysis of responses to discovery requests and assistance with preparation of additional discovery, preparation of testimony; review and analysis of direct and rebuttal testimony; preparation of final testimony and assistance with preparation for cross-examination; attendance at hearings to testify and assist with cross-examination; assist with preparing the briefs.

Estimated Expert Witness Fees	\$20,000
20 Percent In-House Resources	\$4,000
Total AWEC Request for Expert Witness Fees	\$16,000

Total AWEC Issue Fund Budget Request (Legal + Expert)	\$65,375
Total AWEC 20% Match	\$13,075
Total AWEC Issue Fund Grant Possible (Budget – 20% in-house)	\$52,300

Total Amount of Issue Fund Grant Request based on available funds and coordination with CUB.	\$41,500
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CHAD M. STOKES
ADMITTED IN OREGON AND WASHINGTON

cstokes@cablehuston.com

May 11, 2020

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

Re: In the Matter of Avista's Request for Rate Revision
(Docket No. UG 389)
Amended Proposed Issue Fund Budget of the Alliance of Western Energy Consumers

Dear Filing Center:

Pursuant to OAR 860-001-0120 and the Fourth Amended and Restated Intervenor Funding Agreement ("IFA"), approved by the Public Utility Commission of Oregon ("Commission") in Order No. 18-017 (January 17, 2018), Alliance of Western Energy Consumers ("AWEC") hereby respectfully submits an Amended Issue Fund Budget of \$65,375.00, which after 20% match by AWEC (\$13,075.00), would result in a maximum net requested Issue Fund Grant of \$52,300.00. However, due to the amount currently available in the Avista Issue Fund, AWEC is seeking an Issue Fund Grant of \$41,005.00. To the extent AWEC's actual costs exceed the maximum Issue Fund Grant amount, AWEC will seek Matching Funds. AWEC has coordinated this request with the request made by Oregon Citizens' Utility Board ("CUB").

Article 6.3 of the IFA provides that precertified intervenors seeking an Issue Fund Grant must submit a proposed budget to the Commission. Accordingly, AWEC has attached a detailed budget as Appendix A. AWEC's proposed budget is based on AWEC's full participation in this proceeding, including time and expenses that have already been incurred to date.

The IFA also requires the following information:

1. A Statement of the Work to be Performed.

AWEC has participated and will continue to participate in all stages of this proceeding. This includes: (a) a review of the initial filing and testimony of Avista Corporation, dba Avista Utilities ("Avista"); (b) drafting discovery and reviewing discovery responses; (c) drafting

May 11, 2020

Page 2

testimony and reviewing the testimony of other parties; (d) drafting briefs and reviewing briefs of other parties; (e) participating in the scheduled workshop; (f) participating in settlement conferences; and (g) participating in the evidentiary hearing. AWEC has retained a consultant to assist legal counsel in this proceeding.

2. A Description of the Areas to be Investigated.

AWEC has and will focus on all aspects of Avista's requested increase to natural gas distribution rates. This includes a review and analysis of the requested revenue requirement, proposed capital additions, cost of service and rate spread and rate design.

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

AWEC is a nonprofit association of end users of natural gas with major facilities in the states of Oregon, Washington, and Idaho. AWEC's gas members include diverse industrial and commercial interests, including food processing, pulp and paper, wood products, electric generation, aluminum, steel, chemicals, electronics, aerospace, and healthcare providers. AWEC members take service from local distribution companies under industrial rate schedules. Accordingly, AWEC's advocacy will benefit the industrial rate class. AWEC's focus on the overall revenue requirement will benefit all customers, including residential customers.

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

AWEC identifies the Avista Issue Fund Account as the account from which AWEC is seeking monies. As of the date of this submittal, the uncommitted balance of that fund is \$41,005.00 after taking into account CUB's budget and Issue fund Grant of \$41,005.00 approved in Order No. 20-107. To the extent AWEC incurs costs that exceed its request, it will seek matching funds.

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

AWEC has attached a detailed budget for AWEC'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.

AWEC 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.

May 11, 2020

Page 3

CONCLUSION

AWEC respectfully requests that the Commission approve its Issue Fund Budget in the amount of \$65,375.00. AWEC further requests approval of an Issue Fund Grant in an amount of \$41,005.00 from 2020 funds in the Avista Issue Fund account.

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

Very truly yours,



Chad M. Stokes

**UG 389
AWEC PROPOSED BUDGET FOR ISSUE FUND**

Legal Counsel

<u>Work to be Performed</u>	<u>Personnel</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Review of initial rate case filing, draft intervention, attendance at prehearing conference and draft data requests and review responses to data requests; review discovery and responses from other parties	Partner	35	\$275	\$9,625
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Prepare for and attend evidentiary hearing; prepare for and attend oral argument	Partner	30	\$275	\$8,250
Total AWEC Budget for Legal Services				\$45,375
Less 20% Match Using In-house Resources				\$9,075
Total AWEC Request for Legal Services				\$36,300

Estimated Expert Witness Budget for Issue Fund Grant

AWEC has retained Brad Mullins to assist with AWEC's analysis in this matter. AWEC may also use other expert witnesses in this proceeding to address other issues.

<u>Personnel</u>	<u>Title</u>	<u>Rate</u>
Bradley Mullins	Consultant	\$224/hour

Review filing, testimony, exhibits, workpapers, assistance with the preparation of data requests; review of the utility's books, records and other relevant materials; analysis of responses to discovery requests and assistance with preparation of additional discovery, preparation of testimony; review and analysis of direct and rebuttal testimony; preparation of final testimony and assistance with preparation for cross-examination; attendance at hearings to testify and assist with cross-examination; assist with preparing the briefs.

Estimated Expert Witness Fees	\$20,000
20 Percent In-House Resources	\$4,000
Total AWEC Request for Expert Witness Fees	\$16,000

Total AWEC Issue Fund Budget Request (Legal + Expert)	\$65,375
Total AWEC 20% Match	\$13,075
Total AWEC Issue Fund Grant Possible (Budget – 20% in-house)	\$52,300

Total Amount of Issue Fund Grant Request based on available funds and coordination with CUB.	\$41,005
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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UG 389

In the Matter of

AVISTA CORPORATION, dba AVISTA
UTILITIES,

Request for a General Rate Revision.

ORDER

**DISPOSITION: AMENDED PROPOSED BUDGET FOR ISSUE FUND GRANT
APPROVED**

On April 23, 2020, the Alliance of Western Energy Consumers (AWEC), formerly known as the Northwest Industrial Gas Users, filed a proposed budget for an Issue Fund Grant in this proceeding. On May 11, 2020, AWEC filed an amended proposed budget. AWEC's amended proposed budget shows eligible expenses in the amount of \$65,375; and it seeks an Issue Fund Grant in the amount of \$41,005.

The Fourth Amended and Restated Intervenor Funding Agreement (IFA), approved by the Commission in Order No. 18-017, provides that precertified intervenors must submit a proposed issue fund budget to the Commission that contains, at a minimum, the following information:

- 1) A statement of the work to be performed;
- 2) A description of the areas to be investigated;
- 3) A description of the particular customer class(es) that will benefit from the intervenor's participation;
- 4) Identification of the specific fund accounts from which the intervenor is seeking monies and an estimate of the amount of available funds in that account;
- 5) A budget showing estimated attorney, consultant and expert witness fees, which may include the cost for appropriate support staff and operations support; and
- 6) A representation that the 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 for which the intervenor is seeking an Issue Fund Grant.

Once a proposed budget is received, the Commission decides whether Issue Fund Grants are available for use based on factors identified in the agreement. The Commission has the authority to accept, deny or partially deny the request, and may place reasonable conditions on the grant.

AWEC became precertified as the Northwest Industrial Gas Users on February 3, 2004, in Order No. 04-055. AWEC's proposed budget includes the requisite information and reflects the current schedule adopted in this docket.

In light of the issues being addressed, the complexity of the issues and the significant policy decisions to be made, the Commission believes that AWEC's amended proposed budget is reasonable and should be approved.

ORDER

IT IS ORDERED that:

1. The Alliance of Western Energy Consumers' amended proposed budget for an Issue Fund Grant is approved.
2. An Issue Fund Grant is approved up to \$41,005.

Made, entered, and effective May 12, 2020.



A handwritten signature in blue ink, appearing to read "Nolan Moser".

Nolan Moser
Chief Administrative Law Judge
Administrative Hearings Division

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UG 389

In the Matter of)	
)	REQUEST FOR PAYMENT OF AVISTA
AVISTA CORPORATION, dba)	ISSUE FUND GRANT OF ALLIANCE
AVISTA UTILITIES)	OF WESTERN ENERGY CONSUMERS
Request for a General Rate Revision)	

Pursuant to Section 7.3 of the Fourth Amended and Restated Intervenor Funding Agreement (“IFA”) approved by the Public Utility Commission of Oregon (“Commission”) in Order No. 18-017 (January 17, 2018), Alliance of Western Energy Consumers (“AWEC”) hereby requests payment of a portion of AWEC’s Issue Fund Grant in Docket No. UG 389 in the amount of \$24,667.04. In support of this request, AWEC states the following:

1. On May 11, 2020, AWEC, fka Northwest Industrial Gas Users (“NWIGU”), filed an amended Proposed Issue Fund Budget in this docket in the amount of \$65,375 less in-house resources of 20 percent, for a total grant request of \$52,300. However, due to the amount available in the Avista Issue Fund, AWEC requested a total Issue Fund Grant request of \$41,005. The Commission approved the Issue Fund Grant in the amount of \$41,005 on May 12, 2020. *In the Matter of Avista Corporation, dba Avista Utilities, Request for a General Rate Revision*, OPUC Docket No. UG 389, Order No. 20-160 (May 12, 2020).

2. This case involved Avista’s request to increase Oregon revenues by \$6.7 million and involved revenue requirement, cost of capital, and rate spread and rate design issues. After filing testimony and participating in multiple settlement conferences, the

parties were able to settle all of the issues in this docket, and the Commission issued an order approving the comprehensive settlement on December 10, 2020. AWEC hereby requests that the Commission authorize payment of a portion of the approved Issue Fund Grant in this docket in the amount of \$24,667.04. AWEC's Eligible Expenses for this proceeding through December 2020 are shown in Confidential Attachment A.

3. AWEC respectfully submits that this request for payment satisfies the requirement of IFA Section 7.3 as follows:

Section 7.3(a) - The itemized expenses, payees and hourly rates are attached as Confidential Attachment A.

Section 7.3(b) - AWEC was a full and active participant in this docket. AWEC issued and reviewed discovery, filed testimony and reviewed the testimony of other parties, participated in multiple settlement conferences, negotiated several stipulations and filed testimony in support of the stipulations. The expenses included in Confidential Attachment A are Eligible Expenses as defined in IFA Section 7.4 and are reasonable and directly attributable to AWEC's participation in UG 389 on behalf of all customers.

Section 7.3(c) – The only condition of the Issue Fund Grant is that AWEC must contribute 20% of Eligible Expenses using in-house resources. AWEC used its own funds to pay for at least 20% (\$6,166.76) of the Eligible Expenses as required by Section 6.5 of the IFA.

Section 7.3 (d) – This request is a request for final payment of a portion of the approved issue fund in this docket.

4. Section 7.4 – All of the expenses included in Confidential Attachment A are Eligible Expenses as defined in Section 7.4 of the IFA and are consistent with AWEC’s proposed budget in this proceeding.

5. Upon approval of this request for payment by the Commission, Avista should send payment to AWEC as follows:

Alliance of Western Energy Consumers
818 SW Third Avenue #266
Portland, OR 97204

6. AWEC has satisfied the terms of the IFA and respectfully requests that the Commission approve payment of a portion of AWEC’s Issue Fund Grant in the amount of \$24,667.04 (\$30,833.80 minus 20 percent or \$6,166.76) from the Avista Issue Fund within 30 days of receiving this Request for Payment as provided in Section 7.6 of the IFA.

7. With this payment, AWEC requests that the remainder of the approved Issue Fund Grant be released back into the Avista Issue Fund account.

Dated this 8th day of January, 2021.

CABLE HUSTON LLP



Chad M. Stokes, OSB No. 004007
1455 SW Broadway, Suite 1500
Portland, OR 97201
Telephone: (503) 224-3092
E-Mail: cstokes@cablehuston.com

*Attorneys for
Alliance of Western Energy Consumers*

ORDER NO. 21-054

ENTERED Feb 19 2021

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UG 389

In the Matter of

AVISTA CORPORATION, dba AVISTA
UTILITIES,

Request for a General Rate Revision.

ORDER

DISPOSITION: ISSUE FUND GRANT REQUEST APPROVED

On January 8, 2021, the Alliance for Western Energy Consumers (AWEC), formerly known as the Northwest Industrial Gas Users (NWIGU), filed a Request for Payment of its Avista Corporation, dba Avista Utilities Issue Fund Grant. Section 7.3 of the Fourth Amended and Restated Intervenor Funding Agreement (Agreement), adopted by the Commission in Order No. 18-017, governs the procedures for payment of Issue Fund Grants. AWEC was precertified as NWIGU to receive Issue Fund Grants on February 3, 2004, in Order No. 04-055.

AWEC asks for a progress payment of \$24,667.04 from the Avista Utilities' Issue Fund and requests that the remainder of the approved issue fund may be released back into the Issue Fund account. Under the Agreement, the Request for Payment must:

- 1) Itemize the expenses, payees and hourly rates of amount to be reimbursed;
- 2) Demonstrate that the expenses are reasonable and are directly attributable to issues and positions pursued on behalf of a particular customer class and consistent with the intervenor's proposed budget;
- 3) Provide information sufficient to show that the intervenor has complied with any conditions imposed on the Issue Fund Grant; and
- 4) Specify whether the request for payment is for a progress payment or a final payment and indicate whether any approved budget amount may be released back to the applicable Issue Fund.

Further, under the terms of the Agreement, AWEC must establish that it has "used in-house resources or outside funding to account for or pay at least 20% of the Eligible

Expenses for the work to be performed in the proceeding for which the intervenor is seeking an Issue Fund Grant." Agreement at 15. AWEC provided the required documentation in its request.

The Agreement provides that the Commission will make a determination in each proceeding as to how the participating utilities are to recover the funding grants from the various customer classes. Under Section 7.7(b), Issue Fund Grants should be allocated so as to fairly align the costs of the advocacy with the intended potential beneficiaries of the advocacy. Agreement at 23. The Commission has considered the intended beneficiaries, and finds that the issue fund expenditures should be allocated to Avista Utilities' industrial customers.

The Commission finds that AWEC has met the requirements of the Agreement, and its request should be approved. Section 7.8 of the Agreement provides that the utility must pay the Issue Fund Grant to the requesting intervenor within 30 days after receipt of the Commission directive.

ORDER

IT IS ORDERED that:

1. The Alliance of Western Energy Consumers has met the requirements of the Fourth Amended and Restated Intervenor Funding Agreement, and its request is approved.
2. Avista Corporation, dba Avista Utilities pay \$24,667.04 from the Avista Utilities' Issue Fund to the Alliance of Western Energy Consumers within 30 days after receipt of this Order, and the grant be assessed to Avista Utilities' industrial customers.

Made, entered, and effective Feb 19, 2021.



Nolan Moser
Chief Administrative Law Judge
Administrative Hearings Division



**Example of Process Used To Procure Payment of a Preauthorized Matching Grant
(Dkt. No. UM 1927)**

March 30, 2021*	AWEC's Request For a Payment of a Preauthorized Matching Fund Grant** - (\$a portion of the then available annual grant amount). This reflects costs incurred from October 1, 2020 through March 31, 2021. Accordingly, this payment would "match" expenses incurred by AWEC <u>after</u> subtracting 35% from the total expenses to reflect AWEC's own self-funding).
April 2, 2021	Order Approving Matching Fund Grant Request

* Any such request must be made on either October 1, or April 1 for the preceding six (6) month period.

** AWEC (as the Northwest Industrial Gas Users) was pre-certified to receive Matching Fund Grants on February 3, 2004, in Order No. 04-055.



CHAD M. STOKES
ADMITTED IN OREGON AND WASHINGTON

cestokes@cablehuston.com
www.cablehuston.com

March 30, 2021

VIA ELECTRONIC FILING

Diane Davis
Intervenor Funding Coordinator
Public Utility Commission of Oregon
201 High St. SE, Suite 100
Salem, Oregon 97301

David J. Meyer
Pat Ehrbar
Avista Corporation
P.O. Box 3727
Spokane, WA 99220-3727

**Re: Alliance of Western Energy Consumers' Request for Payment of a
Preauthorized Matching Fund Grant – Avista Utilities Account
Docket No. UM 1929**

Dear Ms. Davis:

Alliance of Western Energy Consumers (“AWEC”) files this request for payment of a Preauthorized Matching Fund Grant for costs incurred from October 1, 2020 through March 31, 2021 from the Avista Utilities (“Avista”) Preauthorized Matching Fund Account in the amount of \$10,064.99. This request for payment is filed pursuant to Section 7.2 of the Fourth Amended and Restated Intervenor Funding Agreement (“IFA”) approved by the Oregon Public Utility Commission (“Commission”) in Order No. 18-017 (January 17, 2018).

AWEC meets all of the criteria for payment of a Preauthorized Matching Fund Grant from the Avista Preauthorized Matching Fund Account for 2021, as demonstrated by the following:

1. Under the Amended IFA, Avista makes available an Annual Grant Amount of \$41,468.99, which is added to Avista’s Preauthorized Matching Fund Account each calendar year during the term of the Amended IFA. IFA at Section 4.2.
2. A Preauthorized Matching Fund Grant from Avista must be used solely to pay Eligible Expenses for Eligible Proceedings involving Avista. IFA at Section 4.2.2. AWEC requests the payment of a Preauthorized Matching Fund Grant for Eligible Expenses incurred in Dockets UM 1929, UG 366 (Phase II), UG 392, UM 2121, and UM 2124 as Eligible Proceedings from October 1, 2020 through March 31, 2021. AWEC requests payment of the \$10,064.99 Preauthorized Matching Fund Grant for the expenses listed in confidential Exhibit A, attached, which are Eligible Expenses under Section 7.4 of the Amended IFA. These expenses are in excess of any amounts recovered through Issue Fund Grants and/or other Matching Fund Grant Requests.

March 30, 2021

Page 2

3. A Preauthorized Matching Fund Grant may be provided only if AWEC demonstrates that it has used in-house resources or outside funding for at least 35% of the Eligible Expenses for Eligible Proceedings. Amended IFA at Section 7.2. As shown in confidential Exhibit A, AWEC has used in-house resources and outside funding for at least 35% of the Eligible Expenses in these proceedings.
4. AWEC is the successor to the Northwest Industrial Gas Users, which became precertified as eligible to receive intervenor funding grants under Section 5.2 of the original Intervenor Funding Agreement pursuant to Order No. 04-055, entered by the Commission on February 3, 2004. Under the current version of the IFA, funds from Avista's Preauthorized Matching Fund Account are available for use exclusively by AWEC. Amended IFA at Section 4.2.2.

Having demonstrated that it meets all of the criteria and conditions for such request, AWEC requests payment of a Preauthorized Matching Fund Grant from Avista's Preauthorized Matching Fund in the amount of \$10,064.99. AWEC requests that the Commission grant this request within 30 days of receipt and order Avista to pay AWEC the amount of \$10,064.99 within 30 days after receipt of the Commission directive, in accordance with Section 7.2 of the Amended IFA.

Payment should be sent to the following address:

Alliance of Western Energy Consumers
818 SW Third Avenue #266
Portland, OR 97204

Thank you, and please do not hesitate to contact me if you have any questions.

Very truly yours,



Chad M. Stokes
Counsel for Alliance of Western Energy Consumers

CMS:bh

Enclosure

cc: Ed Finklea (via e-mail)

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 1929

In the Matter of

ALLIANCE OF WESTERN ENERGY
CONSUMERS¹

Request for Intervenor Funding.

ORDER

DISPOSITION: MATCHING GRANT REQUESTS APPROVED

On March 30, 2021, the Alliance of Western Energy Consumers (AWEC) filed a Request for Payment of a Preauthorized Matching Grant. Section 7.2 of the Fourth Amended and Restated Intervenor Funding Agreement (Agreement), adopted by the Commission in Order No. 18-017, governs the procedures for payment of Matching Fund Grants. Funds from the Avista Corporation, dba Avista Utilities Matching Fund; the Cascade Natural Gas Company Matching Fund, and the Northwest Natural Gas Company, dba NW Natural Matching Fund are available for use exclusively by AWEC. AWEC, as the Northwest Industrial Gas Users, was precertified to receive Matching Fund Grants on February 3, 2004, in Order No. 04-055.

AWEC asks for \$10,064.99 from the Avista Utilities Matching Fund Account, \$9,470.66 from the Cascade Natural Gas Matching Fund Account, and \$11,081.33 from NW Natural Preauthorized Matching Fund Account. Under the terms of the Agreement, AWEC must establish that it has used in-house resources or outside funding for at least 35 percent of the Eligible Expenses for an Eligible Proceeding. AWEC provided the required documentation in its request.

Section 7.7 of the Agreement provides that the Commission will make a determination in each proceeding as to how the participating utilities are to recover the funding grants from

¹ Formerly known as the Northwest Industrial Gas Users

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the various customer classes. Section 7.7(b) of the Agreement provides that the Preauthorized Matching Grants are allocated and charged to industrial customers. The Commission finds that AWEC has met the requirements of the Agreement, and its request should be approved. Section 7.2 of the Agreement provides that the utility must pay the Preauthorized Matching Grant to the requesting intervenor within 30 days after receipt of the Commission directive.

ORDER

IT IS ORDERED that:

1. The Alliance of Western Energy Consumers has met the requirements of the Fourth Amended and Restated Intervenor Funding Agreement, and its requests are approved.
2. Avista Corporation, dba Avista Utilities pay \$10,064.99 from the Avista Utilities Preauthorized Matching Fund to the Alliance of Western Energy Consumers within 30 days after receipt of this order, and the grant is assessed to Avista Utilities' industrial customers.
3. Cascade Natural Gas Corporation pay \$9,740.66 from the Cascade Natural Gas Preauthorized Matching Fund to the Alliance of Western Energy Consumers within 30 days after receipt of this order, and the grant is assessed to Cascade Natural Gas's industrial customers.
4. Northwest Natural Gas Company, dba NW Natural, pay \$11,081.33 from the NW Natural Preauthorized Matching Fund to the Alliance of Western Energy Consumers within 30 days after receipt of this order, and the grant is assessed to NW Natural's industrial customers.

Made, entered, and effective Apr 2, 2021.



A handwritten signature in blue ink, appearing to read "Nolan Moser".

Nolan Moser
Chief Administrative Law Judge
Administrative Hearings Division