

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 555

In the Matter of a Rulemaking to Update
Certain Division 038 Rules (Portfolio
Options/Labeling).

December 18, 2013 Comments of Citizens'
Utility Board of Oregon (CUB) and
Renewable Northwest Project (RNP)

CUB and RNP appreciate the opportunity to offer additional comments in this matter. The core of this round of CUB and RNP's comments is the ongoing discussion outside of the formal comments and workshop process that has emerged in this docket. CUB and RNP also have one additional comment related to the null power issue. We will deal with that issue first.

Null Power

The purpose of the comments filed previously by CUB and RNP was to highlight that null power was once on the issues list for this proceeding but was later removed. The scope of this docket included updating the rules related to product labeling (OAR 860-038-0300), which governs how utilities are to inform customers of the power sources from which their chosen electricity product is supplied. Whether null power is still "wind," "solar" or other renewables is indeed relevant to whether utility labels are correctly informing customers of the power sources from which they are being supplied. CUB and RNP agreed to remove the issue from this proceeding but did want to highlight its removal so that the issue did not get lost. CUB and RNP renew their call to the Commission, and to Staff, to find an appropriate forum to fully explore the issue of null power and to develop solutions in the usual collaborative process for which the Commission is known.

Other Issues - Process

CUB and RNP believe that additional collaborative conversation is needed to productively resolve late-breaking issues in this docket

The first issue is related to the label template and ongoing responsibility for overseeing changes in its design. We understand that the label template will be adopted separately from the rules themselves, such that there is time outside the formal rulemaking process to get the label's content, format, process and timing right. We recommend that an additional workshop be held.

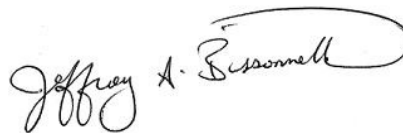
As CUB and RNP understand it, the primary graphic design challenge raised in informal comments about the label template is the difficulty of depicting the distinction between specified and unspecified power in a small format paper chart. Our priority in the AR 555 workshops was to depict the power sources (gas, hydro, coal, wind, etc.) simply, in a single chart; CUB and RNP do not believe that the distinction between unspecified and specified power sources needs to be made in customer communications at all. We supported the “shaded chart” concept in order to accommodate utility desires to maintain a distinction between specified and unspecified sources within each power source. We believe there are a variety of paths forward on this issue.

CUB and RNP also believe that late-emerging issues about the representation of nuclear power in the portfolio would benefit from additional conversation. The issue of removing nuclear power from the portfolio may be a minimal one. Or it may not. The purpose of workshops is to allow parties to fully explore an issue and attempt to come to consensus on how the issue should be addressed. That is the Commission’s usual process. Nuclear power was not an extensive part of the workshops on this docket to date and if there are remaining issues, they would benefit from discussion in a workshop.

Dockets are routinely extended if issues arising late in the process need to be addressed. That should be the outcome here in this AR 555 docket—at the very least for issues not affecting the rule language itself. To the extent possible within the formal rulemaking process, and certainly for the less formal label template issues, CUB and RNP support an extension of the schedule sufficient to accommodate additional conversation. It does not appear that the remaining issues will be difficult to resolve, but should be managed in a collaborative manner that includes all parties interested in the conversation.

Again, we appreciate the opportunity to offer additional comments.

Respectfully submitted this 18th day of December, 2013.

A handwritten signature in cursive script that reads "Jeffrey A. Bissonnette". The signature is written in black ink and is positioned above a horizontal line.

Jeffrey A. Bissonnette
Citizens’ Utility Board of Oregon

AR 555 – CERTIFICATE OF SERVICE

I hereby certify that, on this 18th day of December, 2013, I served the foregoing **DECEMBER 18, 2013 COMMENTS OF THE CITIZENS' UTILITY BOARD OF OREGON (CUB) AND RENEWABLE NORTHWEST PROJECT (RNP)** in docket AR 555 upon each party listed in the AR 555 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 one original and five copies 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)

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Respectfully Submitted,



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