



825 NE Multnomah, Suite 2000
Portland, Oregon 97232

January 6, 2017

VIA ELECTRONIC FILING

Public Utility Commission of Oregon
201 High Street SE, Suite 100
Salem, OR 97301-3398

Attn: Filing Center

RE: UM 1631- PacifiCorp's Petition for a Waiver of OAR 860-021-0405(9) & (11)

PacifiCorp d/b/a Pacific Power, pursuant to the provisions of ORS 756.040 and in accordance with OAR 860-021-0005 encloses for filing its Petition for Waiver of OAR 860-021-0405 (9) & (11).

PacifiCorp respectfully requests that all communications related to this filing be addressed to:

Oregon Dockets
PacifiCorp
825 NE Multnomah Street, Suite 2000
Portland, OR 97232
oregondockets@pacificorp.com

Matt McVee
Assistant General Counsel
825 NE Multnomah Street, Suite 1800
Portland, OR 97232
Matthew.mcvee@pacificorp.com

Additionally, it is respectfully requested that all formal data requests to the Company regarding this filing be addressed to the following:

By e-mail (preferred): datarequest@pacificorp.com

By regular mail: Data Request Response Center
PacifiCorp
825 NE Multnomah Street, Suite 2000
Portland, OR 97232

If you have questions about this filing, please contact Jason Hoffman, Regulatory Projects Manager, at (503) 331-4474.

Sincerely,


R. Bryce Dalley
Vice President, Regulation

Enclosures

cc: Phil Boyle/OPUC Staff
Bob Jenks/CUB
Keith Kueny/CAPO

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1631

In the Matter of

PACIFICORP d/b/a PACIFIC POWER

Application for Waiver of OAR 860-021-0405(9)
& (11), Notice of Pending Disconnection of
Residential Electric or Gas Utility Service

PETITION OF PACIFICORP

1 PacifiCorp, d/b/a/ Pacific Power, (Pacific Power or Company) files this Petition
2 pursuant to the provisions of ORS 756.040 and in accordance with OAR 860-021-0005.
3 Pacific Power requests an order from the Public Utility Commission of Oregon
4 (Commission) granting waiver of OAR 860-021-0405(9) & (11). The Commission
5 previously granted Pacific Power a waiver on February 18, 2014, in Order No. 14-049.

6 Generally, OAR 860-021-0405(9) and (11) require employees performing
7 disconnection of service to make personal contact on the date of disconnection and accept
8 payment while onsite for disconnection of service. Additionally, OAR 860-021-
9 0405(9)(b)(B) specifically requires that, where remote disconnect capability is installed,
10 the Company place a call to a customer at a service address twice a day for three
11 consecutive days prior to disconnect, with the second daily call occurring between the
12 hours of 6:00 p.m. and 8:00 p.m. As explained below, good cause exists to continue to
13 waive these rules and allow the Company to continue its practice of not taking payments
14 in the field, and to expand the timeframe of the evening call to between the hours of 5:30

1 p.m. and 8:30 p.m. to a customer at a service address with remote disconnect capability
2 facing disconnection.

3 **I. Background**

4 On November 25, 2013, Pacific Power filed a petition for waiver of OAR 860-
5 021-0405 (9) and (11), specifically the sections associated with making physical contact
6 at the customer premises and collecting payment during a disconnection for non-payment
7 visit.¹ In the petition for waiver, Pacific Power provided information regarding the
8 growing threat of physical incidents involving employees visiting a customer's residence,
9 which included actual instances such as physical altercations involving dogs, an
10 employee leg being slammed in a truck door, and multiple instances of a customer
11 brandishing a firearm and pointing it at a Company employee. In addition to the threat to
12 Company employees whilst disconnecting service, the employees had the potential to
13 experience a hostile interaction while carrying or collecting money. Field employees
14 who are known to carry money in their vehicle were inherently at a greater risk for attack
15 and being robbed on their daily routes.

16 Pacific Power's petition for waiver was approved on February 18, 2014, in
17 Order No. 14-049, with a sunset date of March 1, 2017. The waiver was temporary
18 because it was assumed that Division 21 rulemaking would be initiated within 18 months
19 of the order, and the rulemaking would address changes to the rule requiring personal
20 contact. As of the date of this filing, Division 21 rulemaking has not yet commenced.
21 Pacific Power is seeking waiver until the Division 21 rulemaking is completed.

¹ See, *Re PacifiCorp Petition for a Waiver of OAR 860-021-0405(9) & (11)* in Docket UM 1631
(November 25, 2013).

1 **II. Governing Authority**

2 Commission rules require utility employees make personal contact and accept
3 payment from customers while onsite to disconnect service, and where remote
4 disconnection capability is installed make outbound calls to the customer during specific
5 hours of the day prior to disconnection of service for non-payment.

6 OAR 860-021-0405(9) provides as follows:

7 The energy utility must make a good-faith effort to personally contact the
8 customer or an adult at the residence to be disconnected on the day the
9 energy utility expects to disconnect service or, where the service address
10 has remote disconnection capability installed, at least three business days
11 prior to the day the energy utility expects to disconnect service:

12
13 OAR 860-021-0405 (9)(b)(B) provides as follows:

14
15 Attempt to contact the customer at a service address where remote
16 disconnect capability is installed via the telephone at least twice a day for
17 the three consecutive days prior to the proposed disconnection, and at least
18 one call must be placed during the morning or afternoon (8:00 am to 5:00
19 pm) and another call placed during early evening (6:00 pm to 8:00 pm).
20 Where an answering machine or service is available, the utility must leave
21 a message at the end of each calling day informing the customer of the
22 proposed disconnection. Initial implementation of section 7(b)(B) may
23 not occur during the winter heating season (November 1 through April
24 30).

25
26 OAR 860-021-0405(11) provides:

27
28 When the energy utility makes personal contact under this rule, the
29 utility’s representatives making contact is empowered to accept reasonable
30 partial payment of the overdue balance under the time-payment provisions
31 of OAR 860-021-0415.
32

1 **III. Argument**

2 **A. Safety remains a top a concern.**

3 Safety is the top priority for the Company and we take seriously our responsibility
4 to provide employees with a safe and healthy workplace. Pacific Power closely monitors
5 both physical and verbal threats made to the Company to help ensure employees are not
6 visiting locations unaware of the potential danger. Customers are exhibiting a more
7 emboldened attitude of violence towards Company employees and the threat of potential
8 harm is more serious now than it was in November 2013 when the first waiver request
9 was filed. Please see Table 1 below for a recent summary of actual incidents and threats
10 to Company personnel.

Table 1

Year	Physical Incidents	Verbal Threats	Total Incidents & Threats Reported	Threats Involving Weapons/Dogs
2010	1	10	11	4
2011	0	20	20	10
2012	5	25	30	11
2013	7	17	24	15
2014	4	21	25	11
2015	11	30	41	26
2016*	7	20	27	15

* Year to Date

11 One way the Company can reduce potential harm to its employees is to seek
12 continued waiver of the requirement for employees to make personal contact on the date
13 of disconnection and carrying customer payments. Pacific Power's request is consistent
14 with underlying rules and applicable statutes. Injuries or death to employees should not

1 be an accepted cost of doing business, nor should it be the inevitable result of one's
2 chosen occupation. Ensuring a safe working environment for employees is in the public
3 interest.

4 **B. Granting the waiver will not harm customers; they will continue to**
5 **receive multiple notices before disconnection**

6 Disconnecting electric service for non-payment is always the utility's last resort.
7 Pacific Power already provides customers with multiple notices of account balances and
8 potential disconnection of service. Specifically, the Company provides the following
9 notice before a site visit to disconnect service:

- 10 1. Monthly bill showing amount due and due date, as required by OAR 860-021-
11 0120 & OAR 860-021-0125.
- 12 2. Past due notice and the next month's bill showing new charges, clearly
13 indicating the account is past due, the past due amount and the due date of
14 past due amount, as required by OAR 860-021-0405.
- 15 3. Outbound call, text or email, as a courtesy.
- 16 4. Final notice indicating the past due amount and due date for past due amount
17 as required by OAR 860-021-0405.
- 18 5. Outbound call prior to disconnection, as agreed to in UM 1631.

19 This billing and collection process provides customers with a variety of
20 notifications prior to the disconnection visit with time to make a payment prior to the
21 Company visiting the residence. Since this existing rule was adopted, more methods of
22 notification have been offered to customers as well as additional ways to make payment.

1 **C. Pacific Power continues to offer numerous payment options**

2 Over the past decade, technological advances have allowed companies to offer
3 even more alternative methods for customers to pay electric bills. In addition to
4 traditional ways of paying by check or money order through the United States Mail or
5 one of our 85 pay stations, and paying by cash at one of the 85 pay stations, the Company
6 also offers customers the option of online payment through the Company’s website and
7 pay-by-telephone. Online payment and pay-by-telephone provide almost immediate
8 account updating and may take place inside a customer’s home, making it no longer
9 necessary for employee to accept payments in the field.

10 **D. Pacific Power has not received complaints regarding its practice**
11 **under the current waiver**

12 To date, neither the Company nor the Commission has received any escalated
13 customer issues or complaints due to the change in business practice in Oregon. Pacific
14 Power has experienced no complaints or issues in California, Idaho, Utah, or Wyoming,
15 the other jurisdictions where the same business practice was implemented in our service
16 territories. Customers and commissions in PacifiCorp’s other jurisdictions have
17 understood of the safety concerns and have readily accepted this change.

18 **E. Pacific Power will comply with OAR 860-021-0405(9)(b)(B) with an**
19 **expanded timeframe for the second daily call**

20 Pacific Power’s deployment of smart meters in its Oregon service territory will
21 provide remote service connect and disconnect capabilities. As a result, beginning in
22 2018, Pacific Power will attempt to contact the customer or an adult at the residence by
23 telephone by placing a minimum of two calls per day for three consecutive days prior to a

1 proposed disconnection, as required in OAR 860-021-0405(9)(b)(B). The additional
2 phone calls will allow the Company to continue our due diligence by contacting our
3 customers prior to disconnecting service under an extended waiver and comply with rule
4 OAR 860-021-0405 (9)(b)(B) for smart meters installed in 2017 prior to the full
5 deployment.

6 The purpose of the outbound phone calls in OAR 860-021-0405(9)(b)(B) is two-
7 fold: (1) to notify customers of pending disconnection; and (2) to encourage
8 communication with the utility prior to the disconnection of service. The rule requires
9 one of the outbound phone calls to be placed between the hours of 6:00 p.m. and 8:00
10 p.m. to accommodate the various schedules of our customers.

11 To ensure the Company can quickly respond to any additional call volume,
12 Pacific Power requests to expand the timeframe from 6:00 p.m. to 5:30 p.m. and from
13 8:00 p.m. to 8:30 p.m. The timeframe of 5:30 p.m. to 8:30 p.m. would still meet the
14 intent of the rule by communicating to customers in the evening hours while providing
15 additional opportunity to reach the customer and have a customer service representative
16 readily available.

17 In addition to the phone calls, Pacific Power is developing a “preference center”
18 online that would allow a customer to choose further options for communication of
19 pending disconnection including electronic mail and text messages. Notices via
20 electronic mail and text message would occur in addition to the outbound phone calls,
21 and customers will choose the method of the additional notice, email or text, making it
22 more likely they will respond to the notification.

1 **IV. Conclusion.**

2 OAR 860-021-0005 allows the Commission to grant waivers of Division 21 rules
3 for good cause shown. Pacific Power respectfully seeks a waiver of the specific
4 provisions of OAR 860-021-0405(9), OAR 860-021-0405(9)(b)(B), and OAR 860-021-
5 0405(11) requiring the utility to make personal contact on the date of disconnection of
6 service, collect payment from customers during the site contact, and perform outbound
7 calls during the hours of 6:00 p.m. and 8:00 p.m. Good cause exists to grant the
8 Company's request for waiver. Such a waiver would allow Pacific Power the ability to
9 increase the safety of employees without sacrificing customer service and provide more
10 time to reach customers prior to disconnection of service.

11 Dated this 6th day of January, 2017.

Respectfully submitted,

By 

MATTHEW D. MCVEE, #020735
Assistant General Counsel
PacifiCorp
825 NE Multnomah, Suite 2000
Portland, OR 97232
Tel. (503) 813-5585
Email: matthew.mcvee@pacificorp.com