

**VIA ELECTRONIC FILING**

May 9, 2023

Public Utility Commission of Oregon  
201 High Street SE, Suite 100  
P.O. Box 1088  
Salem, Oregon 97301

Re: Dockets UM 2207, UM 2208, UM 2209 – Wildfire Mitigation Plan Assessments

Dear Filing Center:

Idaho Power Company (“Idaho Power”), Portland General Electric Company (“PGE”), and PacifiCorp d/b/a Pacific Power (“PacifiCorp”) (collectively referred to as the “Joint Utilities”) are grateful for the opportunity to comment on Staff’s work plan update and comment period notice, as issued in the Public Utility Commission of Oregon’s (“OPUC” or “Commission”) Dockets UM 2207, UM 2208, and UM 2209. These three dockets are specific to the Wildfire Mitigation Plans (“WMP”) of PacifiCorp, PGE, and Idaho Power, respectively.

**WMP Review**

While this is the second year in which utilities have filed Oregon WMPs, the Joint Utilities note this is the first cycle in which permanent WMP rules apply as Division 300 of the Oregon Administrative Rules (“OAR”) was not finalized when the Joint Utilities filed inaugural WMPs in December 2021. At that time, interim wildfire rules were in effect. As all parties gain more experience, the WMP review and approval process will continue to evolve and offer new opportunities for refinement and enhanced efficiency.

The Joint Utilities appreciate that all parties are bound by the same mandatory review period, which requires that the Commission must decide to accept utility WMPs no later than 180 days after those plans have been filed.<sup>1</sup> The pressure of this timetable falls disproportionately on Staff

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<sup>1</sup> ORS 757.963(5).

to conduct a review of three distinct WMPs right as the next wildfire season approaches. Understandably, Staff has developed a tight schedule that culminates with a Commission decision meeting on June 13, 2023.

### **Opportunity for Written Response to IE and Staff Recommendations**

While the Joint Utilities are grateful for Staff's attempt to leave room for public input, the schedule does not include opportunity for written comment on either the Independent Evaluator's ("IE") report or Staff's actual recommendations. The schedule does allow for oral comment at the Special Public Meeting to review initial findings on May 25th and, presumably, party comment at the Commission's public meeting to accept the WMPs on June 13th. However, the Joint Utilities are concerned that there is no opportunity to provide meaningful written comment on the core aspect of the review process: the IE's report and Staff's assessment of and potential recommendations for the Joint Utilities' WMPs.

In conducting its review, Staff is specifically tasked with ensuring each utility has met the WMP filing requirements, as codified in OAR 860-300-0020. These rules are the backbone of the Joint Utilities' WMPs. To ensure documented compliance, the Joint Utilities have each provided a mapping of the specific rules to the place within our respective WMPs where compliance with that rule was met or demonstrated.

This year, to aid in Staff's review, the Joint Utilities have worked hard to provide Staff with additional information via one WMP overview session and six multi-hour deep dive sessions and subsequent discovery requests. The Joint Utilities note that Staff's substantial discovery this cycle extends beyond seeking greater depth on elements in our WMPs and has included requests for historical program data that pre-dated the existence of programs established through each utility's WMPs, forward-looking planning and cost-risk justification for programs or aspects of utility operations not contemplated in each utility's WMP, and, most notably, information well beyond the scope of the requirements in OAR 860-300-0020, such as vegetation management information and inspection practices for the entirety of each utility's Oregon service area. The Joint Utilities have been—and continue to be—as responsive as possible to these requests. Yet, the scope of discovery indicates that Staff's recommendations may not only assess whether each utility has complied with the WMP rule requirements but may include detailed recommendations on the direction and advancement of our WMPs. If this is Staff's intent, then the Joint Utilities consider a written comment opportunity necessary to provide comments to the Commission on each utility's WMP evolution. The Joint Utilities are supportive of the coordination that this schedule offers between Staff and the Companies but allowing for written reply comments from

the Joint Utilities prior to the public meeting for Commission acceptance is essential to ensure that the Commission has all the information available for consideration in the decision-making process.

To this end, the Joint Utilities respectfully request the following modifications to the schedule:

<b>Work Plan Action</b>	<b>Staff Proposed Date</b>	<b>Joint Utilities Proposal</b>
Special public meeting to review initial findings	May 25, 2023	Same
Staff Public Meeting Memo	June 5, 2023	May 31, 2023
Public Comment on Staff's Recommendation	-	June 6, 2023
Public Meeting for Commission acceptance	June 13, 2023	Same

Last year, the Joint Utilities had the opportunity to provide comment on the IE's draft report on each utility's WMP. This year, the Joint Utilities are unclear of the existence or status of a standalone IE report. To the extent that such a separate report is being compiled, the Joint Utilities request that a review of the IE report be an agenda item during the Special Public Meeting where recommendations and assessments can be discussed. Additionally, the Joint Utilities request that any recommendations or assessments of the Joint Utility's WMPs from the IE be referenced in Staff's Memo or, preferably, included as a full attachment to Staff's Memo. This would allow the Joint Utilities to provide comment on the IE report as a part of the newly proposed comment opportunity.

The Joint Utilities are grateful for this opportunity to comment and propose a minor refinement of process that will ensure robust discussion and consideration of individual WMPs.

Respectfully Submitted,

*/s/ Alison Williams*

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Idaho Power

*/s/ W.M. Messner*

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*/s/ Amy McCluskey*

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cc: OPUC Filing Center