



825 NE Multnomah, Suite 2000
Portland, Oregon 97232

November 25, 2013

***VIA ELECTRONIC FILING
AND OVERNIGHT DELIVERY***

Public Utility Commission of Oregon
3930 Fairview Industrial Dr. S.E.
Salem, OR 97302-1166

Attn: Filing Center

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

PacifiCorp d/b/a Pacific Power encloses for filing its Petition for Waiver of OAR 860-021-0405(9) & (11).

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 Bryce Dalley, Director of Regulatory Affairs & Revenue Requirement, at (503) 813-6389.

Sincerely,

William R. Griffith
Vice President, Regulation

Enclosures

cc: Phil Boyle/OPUC Staff
Lisa Gorsuch/OPUC Staff
Bob Jenks/CUB
Catriona McCracken/CUB
Keith Kueny/CAPO

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM _____

In the Matter of

PacifiCorp d/b/a Pacific Power

Petition for a Waiver of OAR 860-021-
0405(9) & (11)

PETITION OF PACIFICORP

1 PacifiCorp d/b/a Pacific Power (PacifiCorp or Company) files this Petition under the
2 provisions of ORS 756.040 and in accordance with OAR 860-021-0005. PacifiCorp seeks an
3 order from the Public Utility Commission of Oregon (Commission) granting a waiver of
4 OAR 860-021-0405(9) and (11). OAR 860-021-0405(9) requires energy utilities to make a
5 good faith effort to personally contact a customer or an adult at the affected residence on the
6 date of disconnection. OAR 860-021-0405(11) requires the utility to accept reasonable
7 partial payment from a customer if personal contact is made. The Company’s current
8 practice is to knock on the door while on site for disconnection and allow for customers to
9 make payment at the door. The Company respectfully requests a waiver of OAR 860-021-
10 0405(9) and OAR 860-021-0405(11) to allow the Company to discontinue collecting
11 payment at the door.

12 **I. Background**

13 Safety is a top priority for PacifiCorp. The Company continuously reviews its
14 operations and business practices in efforts to maintain a safe working environment for all of
15 its employees. Business practices allowing for the risk of injury or death to an employee as a
16 result of workplace violence must be revised to provide a safer working environment. One of

1 those key business practices is collecting payments in the field when a customer is scheduled
2 to be disconnected.

3 The Occupational Safety and Health Administration's (OSHA) General Duty Clause
4 requires employers to furnish each employee a place of employment free from recognized
5 hazards that can be considered harmful to an employee.¹ Multiple governmental agencies
6 have researched workplace violence and provided useful information and statistics regarding
7 workplace violence, including identification of factors leading to higher risk of violence to
8 occur. Such research identified notable risks to employees dealing with the public and
9 exchanging money with the public.

10 Field employees who carry and/or collect money from customers have the potential to
11 experience a hostile interaction leading to injury, or even worse, death. Field employees who
12 are known to carry money in their vehicle are inherently at risk for being attacked and robbed
13 as they travel their daily route. Company employees dispatched to disconnect a customer in
14 Oregon are required to attempt to make personal contact the customer the day of disconnect,
15 which under the Company's current practice means a knock at the door. This puts the
16 employee in the position of having a stressful face-to-face interaction that could escalate to
17 violence. The employee also potentially collects payment, either cash, check, or money
18 order. Payments are then stored in a Company vehicle until they can be dropped off at a
19 local office or a pay station, and the public can be aware of this fact. This puts employees at
20 risk for being victims of theft or robbery.

21 The Company has been monitoring threats to the safety of utility workers across the
22 nation as well as the threats and incidents reported by its personnel. The number and severity
23 of threats or incidents have increased from year to year. The Company has recorded 13

¹ OSHA, General Duty Clause, 5(a)(1).

1 physical safety incidents in 2012 and 2013. In at least four of the incidents, the customer
2 pointed a firearm directly at the employee. Eliminating the requirement to make personal
3 contact on the date of disconnection reduces the opportunity for tense face-to-face
4 interaction. Removing the requirement to accept payment during that personal contact will
5 significantly reduce the possibility of workplace violence. Further, waiving this requirement
6 will keep employees from carrying payments with them throughout the workday. Not
7 collecting payment in the field reduces the risk a member of the general public will commit
8 theft or robbery, and also reduces the risk of customer banking information being obtained
9 from stolen checks.

10 PacifiCorp is constantly reviewing the Company's policies for ways to improve
11 safety for Company employees. The Company's intention to stop collecting payment at the
12 door during a disconnection visit will not remove all risk, but is a pro-active approach
13 towards minimizing the risk and providing a safer workplace. Injuries or death to employees
14 cannot be an accepted cost of doing business. As described in more detail below, the
15 Company proposes to implement new processes to continue providing ample notice of
16 pending disconnections and opportunities to pay bills.

17 **II. Governing Authority**

18 Commission rules require utility employees to make personal contact and accept
19 payment from customers while onsite to disconnect service.

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

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

1 (a) If contact is made, either in person or via the telephone, the energy utility
2 must advise the customer or an adult at the residence of the proposed
3 disconnection; or

4 (b) If contact is not made, the energy utility must:

5 (A) Leave a notice in a conspicuous place at the residence informing the customer
6 that service has been, or is about to be, disconnected.²

7 OAR 860-021-0405(11) provides:

8 When the energy utility makes personal contact under this rule, the utility's
9 representative making contact is empowered to accept reasonable partial
10 payment of the overdue balance under the time-payment provisions of OAR
11 860-021-0415.

12 OAR 860-021-0005 allows the Commission to grant waivers of Division 21 rules for
13 good cause shown.

14 **III. Argument**

15 **A. Granting the Waiver will Not Harm Customers Because they Receive Multiple** 16 **Notices Prior to Disconnection**

17 Disconnecting electric service for non-payment is always a utility's last resort.

18 PacifiCorp already provides customers with multiple notifications of account balances and
19 potential disconnection of service. Specifically, the Company provides the following before
20 a site visit to disconnect service:

- 21 1. Monthly bill showing amount due and due date, as required by OAR 860-021-
22 0120 & OAR 860-021-0125.
- 23 2. Past due notice and the next month's bill showing new charges, clearly indicating
24 the account is past due, the past due amount and the due date of past due amount,
25 as required by OAR 860-021-0405.
- 26 3. Final notice indicating the past due amount and due date for the past due amount,
27 as required by OAR 860-021-0405.
- 28 4. Outbound call, as a courtesy, and
- 29 5. Door hanger is left at site 48 hours prior to date of disconnection, as a courtesy.

² OAR 860-021-405(9)(b) also contains a subsection (B) that is not applicable to PacifiCorp.

1 As illustrated above, this billing and collection process provides customers with five
2 notifications using various communications methods prior to the disconnection visit, giving
3 ample time to arrange for a payment to be made prior to the Company visiting the site. Since
4 this existing rule was adopted, the Company provides more methods of notification, such as
5 the courtesy contacts in items 4 and 5 above, to customers.

6 **B. PacifiCorp Offers Numerous Payment Methods**

7 Utilities, PacifiCorp included, are expanding payment methods beyond the traditional
8 use of U.S. Mail and accepting payments at local offices. Over the past decade technological
9 advances have allowed customers to utilize newer, more convenient payment methods.

10 PacifiCorp offers the following payment methods:

- 11 1. Automatic payments through the customer's bank – *no fee.*
- 12 2. Online payment through the Company's website, available 24 hours a day,
13 seven days a week – *no fee.*
- 14 3. U. S. Mail – *cost of a stamp plus the cost of a check or money order.*
- 15 4. Pay stations: The Company has 49 available pay stations in Oregon (see
16 Exhibit A attached to this Petition for a list of pay stations, locations, and
17 hours of business). Of the 49 pay stations, 23 are open seven days a week, 16
18 are open six days a week, and ten pay stations open Monday through Friday –
19 *\$1.00 fee.*
- 20 5. Pay-by-telephone available 24 hours a day, seven days a week – *\$1.95 fee.*
- 21 6. Pay at time of disconnection visit – *\$20.00 fee.*

22 As shown above, the Company offers a number of no-cost or low-cost payment
23 methods for customers. The Company also offers a number of payment options for increased
24 customer convenience. Online and pay-by-telephone payment options allow customers to
25 make payment from their own residence, any Internet connection, or through their mobile
26 phones (including smartphones), and provide almost immediate account updating. While the

1 majority of PacifiCorp customers choose the no- and low-cost options described above, other
2 customers have chosen the *most expensive payment option*, paying the field collector at the
3 door at the time of disconnection, which includes a field visit charge of \$20.00.

4 Currently, the Company receives approximately 37 percent of payments via the postal
5 service, while the remaining 63 percent of payments are received through other means.

6 During 2012, there were 255,457 payments processed by the Company's pay station network
7 in Oregon. This compares to 8,014 payments collected in the field during a disconnect visit.

8 The 8,014 payments taken during a disconnect visit represent 5,119 customers. This
9 means 2,895 payments (36 percent), were repeat customers using the field collector as a
10 payment method. Given the number of payment options available, and the small number of
11 payments collected in the field, allowing the Company to discontinue collecting payments in
12 the field will not harm customers.

13 **C. Many Other Utilities do Not Knock at the Door and do Not Collect Payment at**
14 **the Door**

15 The Company has stopped collecting payment in the field in Utah, Wyoming, and
16 California. Prior to changing the Company's policy regarding field personnel collecting
17 payments, the Company conducted an informal survey of utilities from members of the
18 National Association of Credit Managers. The Company received multiple responses from
19 various utilities across the United States and Canada. Based on the information gathered
20 from the responses, more than half of the utilities do not knock on the door prior to
21 disconnecting service, and nearly 75 percent of the utilities did not collect payment at the
22 door. See Exhibit B attached to this Petition for a summary of these responses.

1 **D. Company Experience and Communication**

2 The Company has found, through first-hand experience in implementing this policy
3 change in Utah, Wyoming, and California, that customers accept the concerns the Company
4 has for the safety of field personnel and have been very understanding of this policy change.
5 To date, the Company has not received any escalated customer issues or commission
6 complaints due to the change in business practice from these states.

7 In preparation for the change in other states, the Company conducted a two-month
8 communications campaign to inform customers with past due balances of this new practice.
9 The Company included bill messages on bills with past due account balances, messaging in
10 door hangers, and messages in specialized handouts given to customers by collectors and
11 managers personally communicating this change to customers with past due balances (see
12 Exhibit C attached to this Petition). Additionally, call center representatives communicated
13 the information to customers calling regarding past due balances. The Company will draw
14 from this experience in other states and proposes to launch a similar communications
15 campaign in Oregon.

16 **E. Stakeholder Meetings**

17 The Company has been in communication with Commission Staff, the Citizens'
18 Utility Board of Oregon, Community Action Partnership of Oregon, and the Oregon Law
19 Center regarding the proposed changes. Informal workshops were held on September 12,
20 2013, October 10, 2013, and November 5, 2013, to receive feedback and further discuss the
21 Company's waiver request. As a result of the discussions, if this waiver is allowed, the
22 Company will attempt an additional outbound phone call following the delivery of the
23 courtesy 48-hour door hanger (see Section III.A above) in lieu of the knock on the door on

1 the day of the disconnect visit. This would allow for one last notice to the customer prior to
2 scheduled disconnection.

3 **VI. Request for Waiver**

4 OAR 860-021-0005 allows the Commission to grant waivers of Division 21 rules for
5 good cause shown. The Company can no longer support business practices allowing for the
6 increased risk of injury or death to an employee. Safety is a top priority for the Company.
7 One way to reduce risk of injury or death is to eliminate the requirement that an employee
8 make personal contact on the date of disconnect and carry customer payments. Removing
9 the requirement to make personal contact on the date of disconnect and accept payment
10 would reduce risk to the Company's field employees, eliminate the risk of customer's
11 personal banking information being stolen and used fraudulently, and eliminate the
12 opportunity for robbery or theft. Ensuring a safe working environment for employees is in
13 the public interest and the Company's request is consistent with underlying rules and
14 applicable statutes.

15 PacifiCorp respectfully seeks waiver of the specific provisions of OAR 860-021-
16 0405(9) and OAR 860-021-0405(11) requiring the utility to make personal contact on the
17 date of disconnection of service and collect payment from customers during the site contact.
18 Good cause exists to grant the Company's request for waiver. Such a waiver would increase
19 the safety of employees without sacrificing customer service. Further, customers will not be
20 harmed. Customers receive a variety of notices of balances owed and pending disconnection.
21 If this petition is granted, the Company will add an outbound phone call to the notices, which
22 will be placed after the 48-hour door hanger is left at the residence. Additionally, customers

- 1 may pay bills through various no- or low-cost payment methods. Eliminating the ability to
- 2 pay at the door removes the most expensive payment option from the list.

Dated this 25th day of November, 2013.

Respectfully submitted,

By 

Michelle R. Mishoe, #072423

Senior Counsel

PacifiCorp

825 NE Multnomah Street, Suite 1800

Portland, OR 97232

Tel. (503) 813-5977

Exhibit A

Exhibit A- Pay-station Locations & Hours

Name	Address	City	ST	Zip	Hours
A CHECK CASHING STORE	692 LANCASTER DRIVE NORTHEAST	SALEM	OR	97301	M-Sat 0900-1900 Sun 1000-1800
ACE CASH EXPRESS #3703	1957 WEST BURNSIDE	PORTLAND	OR	97209	M-F 0900-1900 Sat 1000-1800
ACE CASH EXPRESS #3704	5132 NE MLK BOULEVARD	PORTLAND	OR	97211	M-F 0900-1900 Sat 1000-1800
BALIN'S TOWER DRUG & GIFT	1791 WASHBURN WAY	KLAMATH FALLS	OR	97603	M-F 0900-1630
BAY AREA MAILING CONNECTIONS AND MORE	598 NORTH BROADWAY	COOS BAY	OR	97420	M-F 0830-1800 Sat 1000-1600
BEST CHECK CASHING LLC.	3695 DEVONSHIRE CT. NORTHEAST	SALEM	OR	97305	M-F 1000-1900 Sat-Sun 0900-1700
CANYON MARKET	425 NORTH MAIN STREET	CANYONVILLE	OR	97417	M-Sun 0700-2300
CHERYL'S NEW & USED	100 SOUTHEAST MAIN STREET	WINSTON	OR	97496	M-Sat 1000-1700
COTTAGE GROVE ANSWERING SERVICE	516 ADAMS	COTTAGE GROVE	OR	97424	M-F 0800-1800 Sat-Sun 0900-1700
DALLAS FUEL & FOOD MART	430 MAIN STREET	DALLAS	OR	97338	M-F 0500-2300 Sat-Sun 0700-2200
DOUBLE J DRIVE THRU	801 SOUTHEAST COURT AVENUE	PENDLETON	OR	97801	M-Sat 0830-1700
EAGLECAP INTERNET	608 W NORTH ST	ENTERPRISE	OR	97828	M-F 0900-1730 Sat 1100-1400
EL VAQUERO CLOTHING	2164 NE 3RD STREET	PRINEVILLE	OR	97754	M-F 0930-1830 Sat 0900-1830
FIESTA FOODS OF HERMISTON	1875 NORTH FIRST STREET	HERMISTON	OR	97838	M-Sun 0600-2200
HEIGHTS SHELL	1691 12TH STREET	HOOD RIVER	OR	97031	M-Sun 0800-2100
KWIK PIK MARKET & DELI	551 W CENTRAL AVENUE	SUTHERLIN	OR	97479	M-Thur 0500-2300 F-Sat 0500-2345 Sun 0500-2300
LA PLACITA	2080 WEST MAIN STREET	MEDFORD	OR	97501	M-Sat 1000-1900 Sun 1100-1500
LAKEVIEW TRUE VALUE	4 NORTH E STREET	LAKEVIEW	OR	97630	M-Sat 0830-1800 Sun 0900-1600
LIGHTHOUSE MARKET	705 SOUTH EMPIRE BOULEVARD	COOS BAY	OR	97420	M-Sun 0700-1900
LOG CABIN GROCERY	4751 NE STEPHENS	ROSEBURG	OR	97470	M-Sun 0600-1800
MAILING MADE EASY	1000 SOUTH HIGHWAY 395 #A	HERMISTON	OR	97838	M-F 0900-1800 Sat 1000-1500
MEGA FOODS	1950 MAIN STREET	LEBANON	OR	97355	M-Sun 1000-1900
MEGA FOODS	2000 QUEEN AVENUE	ALBANY	OR	97322	M-F 1000-1900 Sat-Sun 1000-1600
MILL CITY PHARMACY	218 SW BROADWAY	MILL CITY	OR	97360	M-F 0900-1800 Sat 0900-1700
MONROE TELEPHONE CO.	575 COMMERCIAL STREET	MONROE	OR	97456	M-F 0800-1700
OLDTOWN MAIL HOUSE	106 NW F STREET	GRANTS PASS	OR	97526	M-F 0900-1700 Sat 1000-1400

PORTLAND ONE STOP CHECK CENTERS L	1724 NE BROADWAY ST	PORTLAND	OR	97323	M-F 0900-1800 Sat 1000-1500
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Exhibit A- Pay-Station Locations & Hours

Name	Address	City	ST	Zip	Hours
POSTAL ANNEX #116	16409 SOUTHEAST DIVISION STRE	PORTLAND	OR	97236	M-F 0800-1800 Sat 0900-1600
POSTAL STATION	2000 NE 42ND	PORTLAND	OR	97213	M-F 0930-1700 Sat 0930-1400
PRICE 'N PRIDE NO. 28	801 SOUTHWEST HIGHWAY 101 N	LINCOLN CITY	OR	97367	M-Sun 0545-2345
RAY'S FOOD PLACE #10	735 NORTH MAIN STREET	PHOENIX	OR	97535	M-Sun 0900-1900
RAY'S FOOD PLACE #41	210 SW CENTURY DRIVE	BEND	OR	97702	M-F 0600-2200
RAY'S FOOD PLACE #48	190 EMERALD PARKWAY	CRESWELL	OR	97426	M-F 0900-1900 Sat-Sun 0900-1700
RAY'S FOOD PLACE #60	1535 NE 3RD STREET	PRINEVILLE	OR	97754	M-F 0900-1900
RAY'S FOOD PLACE #65	900 SOUTHWEST 23RD STREET	REDMOND	OR	97756	M-F 0900-2100
RAY'S FOOD PLACE #70	621 NW HICKORY STREET	ALBANY	OR	97321	M-F 0900-2000
SAWBUCKS	2311 SOUTH 6TH STREET	KLAMATH FALLS	OR	97601	M-F 0900-1730 Sat 1000-1530
SEASIDE TOBACCO OUTLET	1535 SOUTH ROOSEVELT DRIVE	SEASIDE	OR	97138	M-Sat 0900-1800 Sun 1000-1400
SPEEDY MART	305 SOUTH REDWOOD HIGHWAY	CAVE JUNCTION	OR	97523	M-F 0600-2300 Sat 0730-2300 Sun 0800-2200
STAYTON PHARMACY	102 MARTIN DR SUITE A	STAYTON	OR	97383	M-F 0900-1830 Sat 1000-1630
STEVE TUCKER APPLIANCE	325 NORTH ADAMS STREET	COQUILLE	OR	97423	M-F 1000-1730
SWEET HOME THRIFTWAY	621 MAIN STREET	SWEET HOME	OR	97386	M-Sun 0700-2000
T-MART	1515 WEST HARVARD AVENUE	ROSEBURG	OR	97471	M-F 0530-2200 Sat 0700-2200
TEE SHIRT EXPRESS	2580 BROADWAY STREET	NORTH BEND	OR	97459	M-Sat 0900-1800
TRICITY FOODMART & DELI	118 N W PACIFIC HIGHWAY	MYRTLE CREEK	OR	97457	M-Sun 0600-2300
UNDER THE BRIDGE	327 WEST MARINE DRIVE	ASTORIA	OR	97103	M-F 0900-1900 Sat 0900-1800 Sun 1000-1600
URCC THRIFT STORE	22465 HIGHWAY 62	SHADY COVE	OR	97539	M-F 1000-1600
WARM SPRINGS MARKET	2132 WARM SPRINGS STREET	WARM SPRINGS	OR	97761	M-F 0700-2000 Sat 0900-1800
WOODBURN MEGA FOODS	1542 MT HOOD AVENUE	WOODBURN	OR	97071	M-F 1000-1900 Sat-Sun 0900-1700

Exhibit B

State	Knock		Required?		Collect Payment			Notes
	No	Yes	Yes	No	No	Yes	Required?	
Florida	x				x			
Kentucky	x					Maybe		
Kentucky	x					Maybe		
N/A			Not Clear					
Nevada	x				x			
N/A		x			x			
N/A		x		x	x			
N/A		x			x			
Illinois		x		x	x			
Illinois	x				x			
N/A		x			Case by Case			
N/A (gas utility)		x				x		
Multiple States		x		x	x			
N/A	x				x			
N/A		x			Not Clear			
N/A		x			x			
N/A	x				x			
N/A	x				x			
N/A	x				x			
Los Angeles, California		x				x		Note: Currently looking to change this practice
Oklahoma	x				x			
N/A	x					x		
Oklahoma	x				x			
N/A	x				x			
Missouri		x		x	x			
North Carolina	Based on Customer History				x			
N/A		x			x			
N/A		x		x	x			
Multiple States		x				x		Company serves eight states and has standardized with most lenient rule
N/A	x				x			Will knock if medical on account
Mississippi	x				x			

N/A	x				x													
Illinois	x				x													
Michigan		x									x							
Minnesota		No Answer																
Wisconsin	x																	
Michigan	x																	
N/A	x																	
N/A	x																	
Quebec, Canada	x																	
Oregon	x																	
N/A (Maryland/DC)				x							No Answer							
Alaska				x														
N/A	x																	
N/A	x																	
N/A																		
Arizona	x																	
N/A	x																	
Regina, Canada	x																	
N/A																		
N/A	x																	
N/A																		
	29			20		9		38			7							0

Rule currently says knock but all parties agree not to
until rule changed

Do not accept cash, just checks

Exhibit C

To our valued customers:

As of July 1, 2013, we will no longer collect customer payments when our employees come to your home or business. We have several payment options available once your account is past due:

- Pay online
- Pay by phone (fees apply)

If you need further arrangements or other payment options, please call our toll-free customer service number **1-888-221-7070**.

This change was made for employee safety and security of customer payments. It also helps reduce costs for all our customers.

We appreciate your patience and understanding. It's a pleasure to serve you.



Let's turn the answers on.

© 2013 Pacific Power

A nuestros apreciados clientes:

A partir del 1 de julio de 2013, ya no podremos recolectar pagos de facturas de clientes cuando nuestros empleados van a su hogar o negocio. Tenemos varias opciones de pago disponibles una vez que se ha vencido el plazo de pago:

- Pago en línea por Internet
- Pago por teléfono (se aplican cargos)

Para realizar otros arreglos o para otras opciones de pago, por favor llame a nuestro número gratuito de servicio al cliente al **1-888-225-2611**.

Este cambio es por razones de seguridad para nuestros empleados y para la seguridad de los pagos de nuestros clientes. También ayuda a reducir los costos para todos nuestros clientes.

Apreciamos su paciencia y comprensión.
Es un placer servirle.



Hagamos brillar las soluciones.