

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: August 8, 2017

REGULAR _____ CONSENT X EFFECTIVE DATE _____ Upon Commission Approval

DATE: July 24, 2017

TO: Public Utility Commission

FROM:  Lisa Gorsuch

THROUGH:  Jason Eisdorfer and  John Crider

SUBJECT: NORTHWEST NATURAL: (Docket No. UM 1614(1)) Requests waiver of Oregon Administrative Rule (OAR) 860-021-0326(1), duplicate disconnect notice requirement when the billing address differs from the service address.

STAFF RECOMMENDATION:

Staff recommends that the Commission approve Northwest Natural Gas Company's (NWN's) request for waiver of OAR 860-021-0326(1)'s duplicate disconnect notice requirement when the billing address differs from the service address, and allow it to remain in effect until August 8, 2020, or until OAR 860-021-0326(1) is amended, whichever first occurs.

DISCUSSION:

Issue

Whether the Commission should approve NWN's request for extension of its waiver of OAR 860-021-0326(1), duplicate disconnect notice requirement when the billing address differs from the service address.

Applicable Law

Commission rules governing disconnection of residential gas or electric service to tenants apply to this filing. Specifically, OAR 860-021-0326(1) requires that when an energy utility's records show that a residential billing address is different from the service address, the utility must provide a duplicate of the five-day disconnect notice required under OAR 860-021-0405(6) to the occupants of the premises in the manner

described in 860-021-0405(6) unless the utility has reason to believe that the service address is occupied by the customer. This requirement is satisfied by serving a notice addressed to "Tenants" in the same manner provided for in OAR 860-021-0405. The notice to occupants need not include the dollar amount owing.

The Commission may waive any of the Division 21 rules upon receipt of a written request for waiver from a utility or it's own motion and upon good cause shown. NWN's requests this waiver pursuant to ORS 756.040 and OAR 860-021-0005.

Analysis

History

NWN's request for waiver of OAR 860-021-0326(1) was granted for a period of three years from June 24, 2014, until June 24, 2017, or until the rule was amended, whichever came first.

At the time the waiver was granted, in June of 2014, Staff recognized that billing addresses may differ from service addresses for reasons other than landlord-tenant situations. For example, a utility's customer of record may receive mail at a post office box rather than the service address. It is also possible that a utility's customer of record has service at both a primary residence and a vacation home. Staff agreed that it would be costly and unnecessary to send duplicate five-day disconnect notices based on differing billing and service addresses alone, and concurs with the Company that the Commission has received no complaints related to this matter. However, Staff believed that OAR 860-021-0326(1) should be reviewed, and possibly revised, to address tenant notification concerns on a going forward basis.

Pacific Power and Idaho Power also requested and received waiver of this rule in Docket Nos. UM 1620 and UM 1612 for the same time period, until June 24, 2017 or until the rule was amended, whichever came first.

Current Waiver Request

On June 22, 2017, NWN filed a request for extension of its waiver of OAR 860-021-0326(1), duplicate disconnect notice requirement when the billing address differs from the service address. At the time the waiver was granted in 2014, it was believed that a Division 21 Rulemaking would be opened during the waiver period to consider and address potential amendments to this rule. However, a Division 36 rulemaking for Water Utilities Administrative Rules necessitated a delay in opening a Division 21 Utility Regulation rulemaking. Now that the Division 36 rulemaking has concluded, a Division 21 rulemaking is expected to be opened very soon.

Staff understands how involved rulemakings can be and for this reason believes that the extended waiver should be for a period of three years or until the rule is amended, whichever comes first, allowing adequate time for the rulemaking process.

In NWN's request for waiver extension, the Company states that since it first requested waiver of OAR 860-021-0326(1), it has instituted programming and customer service changes that include the following:

- *The Company programmed its Customer Information System (CIS) to include a field for tracking accounts where the customer-of-record's billing address differs from the service address and the customer has indicated that the service address is tenant occupied.*
- *The Company made modifications to CIS to ensure that duplicate five-day disconnect notices will be sent to these flagged accounts when appropriate.*
- *And, the Company's Customer Service Representatives (CSRs) were trained to ask if a residence is tenant-occupied when the applicant requests a billing address that is different than the service address.*

Staff appreciates these important changes that NWN has implemented to help address existing concerns regarding customers receiving disconnect notices when the billing address differs from the service address, based on knowledge of whether or not there is a landlord-tenant situation.

Conclusion

In conclusion, Staff recommends that the Commission approve NWN's request for extension of a waiver for OAR 860-021-0326(1), duplicate disconnect notice requirement when the billing address differs from the service address. Staff requests that this waiver remain in effect for a period of three years until August 8, 2020, or until OAR 860-021-0326(1) is amended, whichever first occurs.

PROPOSED COMMISSION MOTION:

Approve NWN's request for waiver of OAR 860-021-0326(1)'s duplicate disconnect notice requirement when the billing address differs from the service address, and allow it to remain in effect until August 8, 2020, or until OAR 860-021-0326(1) is amended, whichever first occurs.