

ORDER NO.

ENTERED

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1020

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON,

Request to Open an Investigation Into the
Scope of the Portfolio Options Committee.

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on February 25, 2020, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter. The Staff Report with the recommendation is attached as Appendix A.

BY THE COMMISSION:

Nolan Moser

Chief Administrative Law Judge

A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Circuit Court for Marion County in compliance with ORS 183.484.

ORDER NO.

ITEM NO. RA1

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: February 25, 2020**

REGULAR X **CONSENT** **EFFECTIVE DATE** March 1, 2020

DATE: February 18, 2020

TO: Public Utility Commission

FROM: Natascha Smith

THROUGH: Michael Dougherty and JP Batmale **SIGNED**

SUBJECT: PORTFOLIO OPTIONS COMMITTEE:
(Docket No. UM 1020)
Request to open and investigation into the scope of Portfolio Options Committee.

STAFF RECOMMENDATION:

Staff recommends that the Public Utility Commission of Oregon (OPUC or Commission) pause the meetings of the Portfolio Options Committee (POC or Committee); waive the requirement for an annual recommendation from the Committee found in OAR 860-038-0220(3) in 2020 and 2021, and open an investigation into the scope of the Committee.

DISCUSSION:

Issues

Whether the Commission should open an investigation into the scope of the POC;
Whether the POC should waive OAR 860-038-0220(3); and
Whether the Commission should pause the meetings of the POC.

Applicable Rule or Law

Under ORS 756.515(1), whenever the Commission believes that an investigation of any matter relating to any public utility or telecommunications utility or other person should be made, the Commission may, on its own motion, investigate any such matter.

OAR 860-038-0001(4) provides in part that upon request or its own motion, the Commission may waive any of the Division 38 rules for good cause shown.

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Under ORS 757.603(2), and (3), the Commission must ensure that each electric company provides residential consumers with a portfolio of rate options that include, at minimum, the rate options required under this statute.

To assist the Commission in evaluating rate options, the Commission established and appoints a Portfolio Options Committee.¹ OAR 860-038-0220(3) states that by July 1 of each year, the POC will recommend to the Commission the Portfolio Options that should be effective January 1 of the following year consistent with the Commission's guidance on the options in OAR 860-038-0220(4).

Analysis

Background

For nearly 20 years, the POC has provided the Commission recommendations on a portfolio of voluntary options. Pursuant to the current POC charter, these options are established to provide residential and small nonresidential customers with access to renewable resource generation and carbon offset markets.² In that time the voluntary programs overseen by the POC have achieved considerable penetration, demonstrated by both Pacific Power and Portland General Electric having their programs ranked among the top in the nation.³

As discussed by both the Committee and Staff on various occasions, the POC has struggled to evolve its scope, purpose, and goals as the market and consumer options have changed.⁴ Over the past few years, the POC has faced significant practical challenges in continuing its work for the Commission. The POC is currently without a

¹ OAR 860-038-0005(2).

² Order No 16-469, Portfolio Options Committee Annual Report and Member Appointments, Attachment B, Dec. 07, 2016.

³ Both PGE and PAC have been in the top 10 Utility Green Pricing Programs since 2008 (note most current data ends Dec. 2017). NREL, Top Ten Utility Green Power Programs, <https://www.nrel.gov/analysis/assets/pdfs/utility-green-power-ranking.pdf>.

⁴ See, UM 1020, Staff Report, Portfolio Options Committee Annual Report and Member Appointments, Sept. 17, 2019, p.7. 8 In the 2014 Annual Report, the POC and Staff asked for the Commission's assistance in defining shared roles and responsibilities. Staff Report, Recommended Portfolio Options and Portfolio Options Committee Members, pp. 7 & 15, Docket No. UM 1020, July 15, 2014; In 2015, the POC and Staff sought clarification on the roles and expectations of POC members through proposed Governance Guidelines. Staff Report, Recommended Portfolio Options and Portfolio Options Committee Members, p. 7, Docket No. UM 1020, August 4, 2015; in 2017, the POC and Staff proposed a plan through which the POC would explore potential new responsibilities and Staff would bring the a report to the Commission on what new areas of responsibilities were most aligned with the POC's structure. Staff Report, Recommended Portfolio Options and Portfolio Options Committee Members, Docket No. UM 1020, pp. 5-6, July 6, 2017.

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Chair and has low membership due to vacancies and a lack of participation from the existing, non-utility membership. There are currently seven vacancies in POC membership. Four of these vacancies are consumer representative positions and there are no POC representatives of small nonresidential customers.

In Order No. 19-317, the Commission directed Staff to engage stakeholders and return with recommendation on whether an investigation into the POC's scope is appropriate.⁵ Staff engaged with the stakeholders and the POC's membership,⁶ including the Oregon Department of Energy, local governments, participating utilities, and consumer and regional interest groups.

Staff engaged current and former members of the POC through a survey probing participants' thoughts on the current scope, meaningfulness of participation, and areas for improvement (Attachment A). Staff presented the findings from its survey to the POC and received unanimous support for investigating the Committee's scope. Through the stakeholder engagement process, Staff identified important considerations for further exploration in the investigation, including:

- What is the value of the POC?
- Which consumers does the POC represent?
- What information is helpful to the Commission?
- What type of membership is best suited to help make the POC successful?
- How do we ensure that participation is meaningful?
- Does the POC have sufficient resources to meet its objectives?
- What is the POC's role, if any, in providing utility customers' and their communities with the ability to meet their green energy or climate goals?

Commission Options for Addressing the POC

In preparing recommendations for the Commission, Staff identified four options that the Commission could take in addressing the POC's utility and scope.

1. **Continue business as usual and not open an investigation.** Staff is not supportive of this option as it does not solve the problems outlined above and has the potential to alienate volunteer members and further reduce participation.

⁵ Order No. 19-317, Docket UM 1020, September 26, 2019 (adopting Annual Report and Member Appointments).

⁶ OAR 860-038-0005(2).

- a. The POC has routinely sought Commission guidance in redefining or broadening the portfolio of options it oversees (e.g., demand response, time-of-use rates) with no definitive response.
 - b. Staff encourages the Commission to take an approach similar other dockets where the changing technology and regulatory landscape necessitates a reexamination of existing programs, especially those designed to solicit customer engagement and feedback.
2. **Investigate the scope of the POC without pausing the Committee's meetings.** Staff is not supportive of this option as it essentially asks the Committee to continue to create plans for an uncertain future that may not be of use to the Commission in reviewing rate options.
 - a. It would be difficult for POC to meet its goals, especially those around recruitment, while re-design is occurring.
 - b. Staff encourages the Commission to consider the best use of Committee members' time and resources, especially volunteers representing customers.
3. **Investigate the scope of the POC and pause the Committee's meetings and activities.** Staff supports this option because it provides leeway to engage in a robust investigation unconstrained by internal or external Committee scheduling.
 - a. Staff feels that this is the best option.
 - b. This option provides the most flexibility to conduct a thorough investigation and decide on underlying questions without worrying about having conclusions in time for the POC annual memorandum to the Commission.
 - c. This option allows POC members and other interested parties to focus their time and efforts on re-envisioning the POC.
 - d. Staff would continue the POC's oversight activities of the current portfolio of options.
 - e. The effective date of March 1, 2020, allows the POC to hold a final February meeting for Staff to relay the Commission's decision and to conclude any outstanding business.
4. **Disband the POC.** Staff does not recommend this option, but acknowledges it may be viable if the Commission determines the POC can no longer meet its needs. This option carries the risk of losing institutional knowledge and rulemaking will be required to execute this option.
 - a. There are still new issues arising surrounding RECs and communities striving to reach green energy goals.

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- b. The POC, or another committee, could help create additional opportunities for community-based organizations, members of the public, and stakeholders to engage with the Commission.
- c. Staff feels that disbanding the POC is premature and encourages the Commission to work with stakeholders in identifying whether this Committee or another advisory body meets its needs before taking steps to disband the POC entirely.

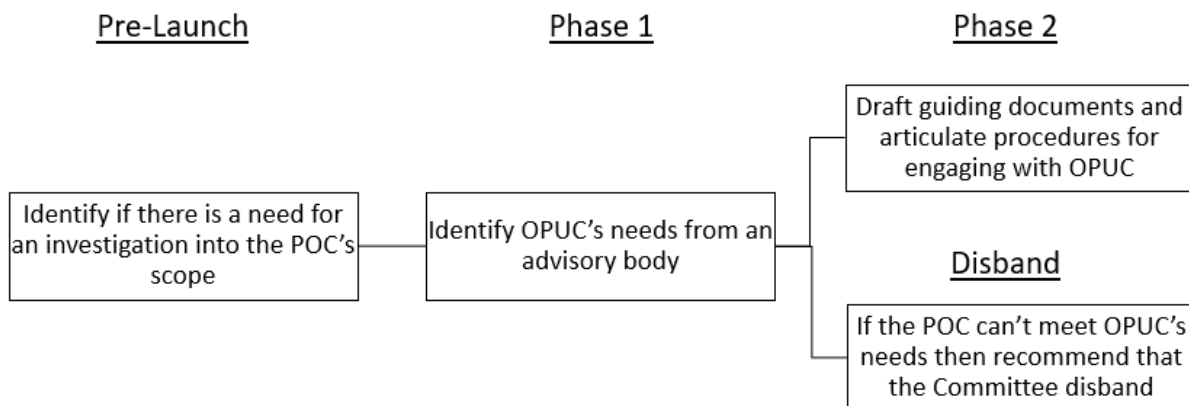
Ongoing Work of the POC

If the Commission grants a waiver of the POC's annual reporting requirement, the ongoing obligation to oversee the portfolio of options remains. While the POC's scope is under investigation, Staff proposes to assume the POC's oversight role through the vehicle of Docket No. UM 1020. This approach will allow for visibility and participation of interested parties in the oversight of these programs through public comment, which Staff can present to the Commission in the docket.

Proposed Investigation Structure and Timeline

Staff proposes an investigation structure that is phased, adaptive, and involves considerable stakeholder engagement. The investigation structure is intended to create opportunities for Commission input at key stages. Staff proposes to organize the investigation into three phases as described below.

Figure 1: The Investigation Process:



- Pre-Launch
 - Goal: Identify if there is a need for an investigation into the POC's scope.

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- Process:
 - Consulted with ODOE to discuss historic and current role of the POC.
 - Engaged with current and former POC members via survey.
 - Present findings to POC members.
 - Public Meeting Memo- Staff's proposal requesting an investigation.
- Key Objective: Commission order on opening investigation.
- Phase 1
 - Goal: Identify OPUC's needs from an advisory body on voluntary services and programs for customers.
 - Process:
 - Workshops: Staff will conduct a series of workshops to identify the needs of OPUC and customers, the roles that can reasonably fulfilled by an advisory body, and the type of members that can provided the needed inputs.
 - Host Commissioner workshop to allow OPUC to weigh in on Stakeholder ideas.
 - Present final idea for Commission approval at Public Meeting.
 - Key Objective: Commission order adopting Staff proposal
- Phase 2
 - Goal: Draft guidance documents and create processes for accomplishing the Committee's objectives and engaging with OPUC.
 - Stakeholder workshop(s)
 - Staff Proposal: Based on stakeholder input Staff will release a proposal.
 - Stakeholder Comments
 - Revised Proposal
 - Final Comments
 - Public Meeting Memo
 - A Note on Disbanding:
 - If it is determined that the POC is incapable of evolving to meet Commission needs, Staff may recommend that the POC be disbanded with the initiation of a rulemaking docket, otherwise Staff will proceed to Phase 2.
 - Key Objective: Commission order adopting documents and recommendations and re-launching the Committee with changes to POC regulatory structure or membership through rulemaking, as appropriate.

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Following a Commission decision to open this investigation, Staff will develop, share and begin executing a Phase 1 workshop plan. As the investigation progresses, phases, goals, milestones, and objectives will be shaped by shared learnings and continued stakeholder input.

Conclusion

Staff's analysis above and included in Attachment A demonstrate the need for a Commission investigation on this topic. Staff proposes to launch a phased investigation into the scope of the POC that could result in an advisory body that serves an active and vital role in meeting the needs of the Commission along with those of consumers.

PROPOSED COMMISSION MOTION:

Direct a pause in further meetings of the Portfolio Options Committee. Waive the requirement for an annual recommendation from the Committee in OAR 860-038-0220(3) in 2020 and 2021. Open an investigation into the scope of the Committee as outlined in this memorandum.

UM 1020 POC Scope

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Portfolio Options Committee Survey

The POC's 2019 memo included a recommendation for the Commission to open an investigation or otherwise consider whether changes to the scope of the POC are required. As part of Order 19-317 the Commission directed Staff to engage Stakeholders and return to the Commission with recommendation on whether an investigation is appropriate. This survey seeks to engage current and former members of the POC around participation in and the scope of the Committee.

1. Was/is your participation with the POC a part of your job?

Mark only one oval.

☐ Yes

☐ No

2. Would you be/are you able to participate in the POC without support of your employer?

Mark only one oval.

☐ Yes

☐ No

3. Did/do you feel like your participation in the POC is an efficient use of your time and resources?

Mark only one oval.

☐ Yes

☐ No

4. Did/do you feel that your participation ~~ORDER~~**NO** is valued by the Commission?

Mark only one oval.

☐ Yes

☐ No

5. Did/do you feel that the Commission took POC recommendations?

Mark only one oval.

☐ Yes

☐ No

6. What type of feedback and information is helpful to the Commission from the general public?

7. Given the growth and sophistication of both customers and the voluntary renewable energy market, does the role of the POC, as currently outlined in the Charter, need to be altered?

8. If the Commission were to continue an ~~ORDER NO.~~ on specific customer products, what should the focus be? What type of things should be addressed by Staff versus an advisory body?

9. Does the scope of the POC allow for meaningful engagement and input by consumer representatives? What actions might allow consumers to be more meaningfully engaged in the POC?

10. Does the POC have an appropriate resources to undertake its duties?

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Was/is your participation with the POC a part of your job?

☒ Yes

☐ No

Would you be/are you able to participate in the POC without support of your employer?

☒ Yes

☐ No

Did/do you feel like your participation in the POC is an efficient use of your time and resources?

☒ Yes

☐ No

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Did/do you feel that your participation on the POC is valued by the Commission?

☒ Yes

☐ No

Did/do you feel that the Commission took POC recommendations?

☒ Yes

☐ No

What type of feedback and information is helpful to the Commission from the general public?

I am a utility representative on the POC and think that the POC's original charge may now be fulfilled as it was designed to help advise the PUC on the SB 1149 directive that the electric companies offer a portfolio of options to residential (and later added small commercial customers). The law specifies renewable options and a market based rate option and my understanding is that the original POC (then called the PAC) helped get these programs off the ground, influencing what was offered and associated issues like marketing efforts and dollars to let customers know of these options. PacifiCorp and PGE now have among the most successful voluntary renewable programs in the country and in my experience with the POC, the POC was interested in getting into other program advising and seemed to want to reach beyond the Division 38 rule scoping for the POC's role. The question for the Commission is whether such an advisory committee would be helpful and to what end? If the answer is yes, I would recommend a rescoping with clear and specific direction (with desired outcomes) to the committee. In any case, the POC membership could be expanded to get into areas of equity (see SB 978 recommendations to the legislature and equity subcommittee of the 978 process).

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Given the growth and sophistication of both customers and the voluntary renewable energy market, does the role of the POC, as currently outlined in the Charter, need to be altered?

Yes, see above. If the role is helpful to the Commission, then identify what advising the Commissioners desire and align accordingly. Also, it was not easy to recruit residential and small commercial customers to serve-- nor was it realistic to suggest that those representatives on the POC were truly representative of all residential or small commercial customers or that they had the means to communicate with those groups and get feedback. 1149 allows for more than one portfolio option so if utilities had other portfolio options being proposed, it may provide value to have the POC review them.

If the Commission were to continue an advisory body on specific customer products, what should the focus be? What type of things should be addressed by Staff versus an advisory body?

I think this question is better for the Commission-- what advice do they want? It was challenging from a utility perspective to identify what role the POC played vis a vis Commission staff (staff on the POC and staff not on the POC). Frequently whatever was discussed at the POC was later discussed with Staff in a tariff or other filing and it may have been helpful to reference the discussion and vetting at the POC but unclear what value or weight to give to that. Staff would advise the utility that they may opine but should not be held to that if there were an eventual utility filing at the Commission. Other PUC staff on the POC took the position that if they knew a utility filing would result, they would not weigh in at all, during the POC process. It could feel like processes were duplicative and question whether the time was well spent. POC members would wonder aloud what their value was if what they reviewed started over at the Commission anyway.

Does the scope of the POC allow for meaningful engagement and input by consumer representatives? What actions might allow consumers to be more meaningfully engaged in the POC?

Not really in my view. It was difficult to recruit consumer representatives (see above) and the advisory role and impact of the POC work was unclear.

Does the POC have an appropriate resources to undertake its duties?

This is a chicken and egg question. It depends what the Commission desires of the POC and then to appropriately resource it.

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Was/is your participation with the POC a part of your job?

☒ Yes

☐ No

Would you be/are you able to participate in the POC without support of your employer?

☒ Yes

☐ No

Did/do you feel like your participation in the POC is an efficient use of your time and resources?

☒ Yes

☐ No

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Did/do you feel that your participation on the POC is valued by the Commission?

☒ Yes

☐ No

Did/do you feel that the Commission took POC recommendations?

☒ Yes

☐ No

What type of feedback and information is helpful to the Commission from the general public?

hearing from orgs that represent low-income oregonians

Given the growth and sophistication of both customers and the voluntary renewable energy market, does the role of the POC, as currently outlined in the Charter, need to be altered?

The charter should be updated to reflect present day activities and/or opportunities

If the Commission were to continue an advisory body on specific customer products, what should the focus be? What type of things should be addressed by Staff versus an advisory body?

Options for low-income households to participate

ORDER NO.

Does the scope of the POC allow for meaningful engagement and input by consumer representatives? What actions might allow consumers to be more meaningfully engaged in the POC?

there are always more opportunities for improved engagement with low-income reps

Does the POC have an appropriate resources to undertake its duties?

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Was/is your participation with the POC a part of your job?

☐ Yes

☒ No

Would you be/are you able to participate in the POC without support of your employer?

☐ Yes

☒ No

Did/do you feel like your participation in the POC is an efficient use of your time and resources?

☒ Yes

☐ No

ORDER NO.

Did/do you feel that your participation on the POC is valued by the Commission?

☒ Yes

☐ No

Did/do you feel that the Commission took POC recommendations?

☒ Yes

☐ No

What type of feedback and information is helpful to the Commission from the general public?

The POC's cadre of Customer Representatives should be increased, while considering ways to include diverse representation and maintaining level of knowledge and expertise. Doing this would not be easy, but should be taken upon as a priority. Another change should be the scope of the POCs purview if it is to remain relevant. With the upcoming options of community Solar the competition, TOU, and others - keeping the POC solely on the voluntary RECs program will continue to have diminishing returns.

Given the growth and sophistication of both customers and the voluntary renewable energy market, does the role of the POC, as currently outlined in the Charter, need to be altered?

Absolutely- the POC in silo not considering other options for customers to clean up their energy use is pointless to me.

If the Commission were to continue an advisory body on specific customer products, what should the focus be? What type of things should be addressed by Staff versus an advisory body?

RECs and habitat, community solar, time of use. If not under the purview of the POC (even if not fully)- then we lose vision of the purpose of why the POC exists.

APPENDIX A

ORDER NO.

Does the scope of the POC allow for meaningful engagement and input by consumer representatives? What actions might allow consumers to be more meaningfully engaged in the POC?

I predict that if the scope of the POC doesn't evolve quickly to incorporate or meaningfully consider other consumer options to access clean energy there will be not meaningful input from consumer reps in the coming year.

Does the POC have an appropriate resources to undertake its duties?

I'm not aware of what the POC's resources are. I have not seen in the past 3+ years the POC spend ANY direct monetary resources to further the committee's mission. So if it plans to not have any access to resources- then the answer is- no.

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Was/is your participation with the POC a part of your job?

☒ Yes

☐ No

Would you be/are you able to participate in the POC without support of your employer?

☐ Yes

☒ No

Did/do you feel like your participation in the POC is an efficient use of your time and resources?

☐ Yes

☒ No

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Did/do you feel that your participation on the POC is valued by the Commission?

☒ Yes

☐ No

Did/do you feel that the Commission took POC recommendations?

☒ Yes

☐ No

What type of feedback and information is helpful to the Commission from the general public?

I don't know.

Given the growth and sophistication of both customers and the voluntary renewable energy market, does the role of the POC, as currently outlined in the Charter, need to be altered?

Yes. Many emerging programs are very similar to what the POC reviews but are not under the purview of the POC - this raises the question as to whether the role of the POC is simply to check the accounts of utility green power programs a few times a year or if the role is to be involved in the development and offering of green power opportunities to ratepayers in Oregon.

If the Commission were to continue an advisory body on specific customer products, what should the focus be? What type of things should be addressed by Staff versus an advisory body?

Whatever the focus is, it should be crystal clear. Explicit.

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Does the scope of the POC allow for meaningful engagement and input by consumer representatives? What actions might allow consumers to be more meaningfully engaged in the POC?

Yes and no. Consumer representatives attend meetings and make insightful contributions, but some POC members do not appreciate input from Consumer reps that is negative or goes against "conventional wisdom" in the green power world. You need to have a thick skin to be a consumer rep because you're volunteering your time and then you're treated poorly and as though you don't know what you're talking about. And because the POC meets during traditional business hours and in Portland, the pool of who is able to serve as a consumer rep is very limited and not representative of Oregon IOU ratepayers.

Does the POC have an appropriate resources to undertake its duties?

No. The POC does not have the monetary resources to pay consumer reps for their time, which leads to getting a small pool of reps who are privileged enough to be able to donate their time. The POC also does not have adequate administrative resources - admin work falls to PUC staff and the chair and none seem to have the extra time necessary to do anything other than what is absolutely necessary.

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Was/is your participation with the POC a part of your job?

☐ Yes

☒ No

Would you be/are you able to participate in the POC without support of your employer?

☐ Yes

☒ No

Did/do you feel like your participation in the POC is an efficient use of your time and resources?

☐ Yes

☒ No

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Did/do you feel that your participation on the POC is valued by the Commission?

☐ Yes

☒ No

Did/do you feel that the Commission took POC recommendations?

☒ Yes

☐ No

What type of feedback and information is helpful to the Commission from the general public?

Information on the types of products they'd like to see going forward or how they can be evolved -- not necessarily the performance of those currently in existence.

Given the growth and sophistication of both customers and the voluntary renewable energy market, does the role of the POC, as currently outlined in the Charter, need to be altered?

Absolutely. I believe it must include options for customers other than residential, which would significantly expand the scope of the POC and therefore would have to be resourced differently. Perhaps this is a separate advisory body with a more expansive stakeholder group.

If the Commission were to continue an advisory body on specific customer products, what should the focus be? What type of things should be addressed by Staff versus an advisory body?

See above. I don't believe Staff has appropriate resources to devote to the complexities of all green products, and the wisdom of the crowd in a POC-like body is helpful.

APPENDIX A

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Does the scope of the POC allow for meaningful engagement and input by consumer representatives? What actions might allow consumers to be more meaningfully engaged in the POC?

From certain members, but it depends on the scope of the POC. Right now it's pretty narrow. Expanding the scope of the products addressed might allow for some more meaningful engagement.

Does the POC have an appropriate resources to undertake its duties?

My sense is not; its leadership may need a bit more support.

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Was/is your participation with the POC a part of your job?

☐ Yes

☒ No

Would you be/are you able to participate in the POC without support of your employer?

☒ Yes

☐ No

Did/do you feel like your participation in the POC is an efficient use of your time and resources?

☒ Yes

☐ No

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Did/do you feel that your participation on the POC is valued by the Commission?

☒ Yes

☐ No

Did/do you feel that the Commission took POC recommendations?

☒ Yes

☐ No

What type of feedback and information is helpful to the Commission from the general public?

Any street level perspectives not available from industry professionals.

Given the growth and sophistication of both customers and the voluntary renewable energy market, does the role of the POC, as currently outlined in the Charter, need to be altered?

Yes

If the Commission were to continue an advisory body on specific customer products, what should the focus be? What type of things should be addressed by Staff versus an advisory body?

I think the POC advisory scope should be updated to include a wider variety of renewable sources than were anticipated when it was founded. Staff is necessary for the most complicated topics, since its not realistic for volunteer citizens to be able to grasp the ramifications of some of the choices that need to be made.

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Does the scope of the POC allow for meaningful engagement and input by consumer representatives? What actions might allow consumers to be more meaningfully engaged in the POC?

During my years on POC I thought that POC'S scope became frustratingly narrow as new ideas and opportunities outpaced the original scope.

Does the POC have an appropriate resources to undertake its duties?

We did what we could with the resources available. Staff turnover at PUC definitely hampered productivity through loss of continuity.

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Was/is your participation with the POC a part of your job?

☒ Yes

☐ No

Would you be/are you able to participate in the POC without support of your employer?

☐ Yes

☒ No

Did/do you feel like your participation in the POC is an efficient use of your time and resources?

☐ Yes

☒ No

ORDER NO.

Did/do you feel that your participation on the POC is valued by the Commission?

☒ Yes

☐ No

Did/do you feel that the Commission took POC recommendations?

☒ Yes

☐ No

What type of feedback and information is helpful to the Commission from the general public?

Quantifiable data tracking the general public's understanding of, potential impacts, needs, and motivations related to the topics in front of them. The general public is diverse and the loudest voices are not always representative of the diverse needs and opinions across the state and across customer segments.

Given the growth and sophistication of both customers and the voluntary renewable energy market, does the role of the POC, as currently outlined in the Charter, need to be altered?

The POC was established as an advisory group to the OPUC and was very successful in creating the most successful programs in the country. The charter outlines a set of goals for the POC as well as specific obligations, including the group's chief responsibility of submitting recommendations annually to the Commission regarding a set of product and pricing options for small commercial and residential customers of investor-owned electric utilities. The POC performs this function successfully each year. If the OPUC would find value in the POC advising on additional topics, such as additional products and pricing options or exploring new topics related to the existing products, then yes.

ORDER NO.

If the Commission were to continue an advisory body on specific customer products, what should the focus be? What type of things should be addressed by Staff versus an advisory body?

If the POC continues as an advisory body to the OPUC, we agree that some shifting of focus should occur. The POC was its most successful when it had a more limited set of expert stakeholders with a clear mandate in an early market that required new thinking and definition. One approach would be to consider if there are key issue areas related to the voluntary renewable energy market where a group of diverse stakeholders could add value to the OPUC decision-making process. This would involve first assessing what some of these key issues are (ex: product evolution at higher levels of renewable energy penetration) and then separately determining what a group, such as the POC, could bring to the conversation. The focus of the POC should be specific (i.e. what is the problem we're trying to solve) and actionable in order to create an effective and meaningful group. Another option is to consider that a voluntary program with 3rd party certification in a mature market no longer requires an above-average level of regulatory oversight and study.

Given the OPUC currently receives information from both staff and advisory committees, I'd defer to the OPUC to determine what kind of information they'd find more value in receiving from the two sources.

Does the scope of the POC allow for meaningful engagement and input by consumer representatives? What actions might allow consumers to be more meaningfully engaged in the POC?

In the past, the POC created a venue for a range of relevant stakeholders who might not otherwise participate in a PUC proceeding to provide input on the development of voluntary renewable electricity products. In order to be most effective at supporting decision-making, stakeholder input needs to be representative and data-driven. Neither of those realities are occurring under the current POC model which allows for the perspectives of only two to three customers. By virtue of their service, residential representatives are not average customers with average awareness of products. Commonly, they have or develop an above average energy literacy and driving interest in advocating for specific types of products or features. Not only are their interests not being met through the scope of the POC but their input can be skewed towards that specific interest that may be at odds with the interests of the typical customer of the current products. With over a quarter million customers participating in the existing voluntary options in Oregon, more representative feedback is needed in order to understand if material changes should be made to these products. Specifically, Pacific Power's service area is dramatically under represented with less than 15% of the customers they serve actually living in Multnomah county. The OPUC may be able to get better insight into customer's needs based on utility-specific customer data collection (as evidenced by PGE's demand response pilots that have involved stakeholder input).

ORDER NO.

Does the POC have an appropriate resources to undertake its duties?

The POC is appropriately resourced to undertake the following duties, as defined by the charter, based on the current/historic approach to these tasks:

- Recommend POC members for approval
- Recommend marketer and provider contracts for approval
- Recommend continuance of current portfolios
- Approve the use of voluntary funds for a special purpose not advertised directly to customers but consistent with the associated tariff

The POC is in-part appropriately resourced to undertake the following duties but requires additional resources to conduct research to ensure recommendations are representative of customer/participant interests:

- Recommended changes, if any, to the portfolios and/or their structure
- Recommended structure for new portfolios
- Recommend changes, if any, to the goals and performance metrics of the portfolio options
- Recommend changes, if any, to the portfolio options (structure, marketing, contracting) as a result of Commission audits, or other significant events
- (Depending on the request) The POC may take up other matters on member or Commission request

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ORDER NO.

Portfolio Options Committee Survey

The POC's 2019 memo included a recommendation for the Commission to open an investigation or otherwise consider whether changes to the scope of the POC are required. As part of Order 19-317 the Commission directed Staff to engage Stakeholders and return to the Commission with recommendation on whether an investigation is appropriate. This survey seeks to engage current and former members of the POC around participation in and the scope of the Committee.

Was/is your participation with the POC a part of your job?

☒ Yes

☐ No

Would you be/are you able to participate in the POC without support of your employer?

☐ Yes

☒ No

Did/do you feel like your participation in the POC is an efficient use of your time and resources?

☐ Yes

☒ No

ORDER NO.

Did/do you feel that your participation on the POC is valued by the Commission?

☒ Yes

☐ No

Did/do you feel that the Commission took POC recommendations?

☒ Yes

☐ No

What type of feedback and information is helpful to the Commission from the general public?

This seems like a question best answered by the Commission. My sense of what the answer might be includes: 1) Reactions from customer representatives to the existing offerings. 2) A sense of how the other members of the POC see the offerings and programs under its supervision. 3) Quantitative/qualitative information on the program (i.e. No. of subscribers, trends, cost and allocation of those costs, how the programs are faring compared to other programs in the country, how much money is being allocated to grants for steel on the ground projects and how those projects are performing, how much is being allocated to habitat projects and how those are performing, any survey results from customers).

Given the growth and sophistication of both customers and the voluntary renewable energy market, does the role of the POC, as currently outlined in the Charter, need to be altered?

Probably. The POC oversees important and very successful programs. My sense has been that the conversation has been stuck on one issue (i.e. marketing spent) for years while we seem to lose sight of the size and success of the programs we are overseeing. The POC has an important overseeing role, but it would have been good to use a lot of the time we spent on a single issue discussing important topics like interactions with the RPS, how these programs may or may not interact with other voluntary programs that are or will be available to customers, etc.

ORDER NO.

If the Commission were to continue an advisory body on specific customer products, what should the focus be? What type of things should be addressed by Staff versus an advisory body?

If the Commission decides to continue an advisory body it may be good to consider whether that advisory should have any oversight role over other voluntary renewable energy offerings (i.e. community solar). That would likely require a big change in the POC (i.e. make an effort to have representation of currently underrepresented/unrepresented communities and consider how their representation would come with some power to affect the conversation. not just a seat at the table without power).

Does the scope of the POC allow for meaningful engagement and input by consumer representatives? What actions might allow consumers to be more meaningfully engaged in the POC?

Probably not. We have not had full customer representation for a while. One important action to enhance customer representation would be to have tools to help customers build capacity on voluntary program issues if they are not aware of those issues. Also, it may be important for the POC to consider how to help cover some of the cost (time, transportation, etc.) associated with participation for those volunteer POC participants that do not participate as part of their job.

Does the POC have an appropriate resources to undertake its duties?

In some ways we do: Staff/ODOE dedicate significant time to the logistics of ensuring that the POC can function. In others we do not (see our comment above about those who are volunteering to participate).

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Portfolio Options Committee Survey

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Would you be/are you able to participate in the POC without support of your employer?

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☒ No

Did/do you feel like your participation in the POC is an efficient use of your time and resources?

☒ Yes

☐ No

ORDER NO.

Did/do you feel that your participation on the POC is valued by the Commission?

☒ Yes

☐ No

Did/do you feel that the Commission took POC recommendations?

☒ Yes

☐ No

What type of feedback and information is helpful to the Commission from the general public?

Consumer insights. But if consumers are participating in voluntary programs, that should be sufficient.

Given the growth and sophistication of both customers and the voluntary renewable energy market, does the role of the POC, as currently outlined in the Charter, need to be altered?

Yes

If the Commission were to continue an advisory body on specific customer products, what should the focus be? What type of things should be addressed by Staff versus an advisory body?

Potentially new products, not necessarily existing products that are best in class.

ORDER NO.

Does the scope of the POC allow for meaningful engagement and input by consumer representatives? What actions might allow consumers to be more meaningfully engaged in the POC?

Yes when the positions are filled and the consumer and small business reps are able to attend all the meetings.

Does the POC have an appropriate resources to undertake its duties?

For the current scope yes. For a different scope - that is unknown.

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