

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UM 2152**

In the Matter of	)	
	)	
PORTLAND GENERAL ELECTRIC COMPANY,	)	OREGON CITIZENS' UTILITY BOARD'S RESPONSE TO AWEC'S MOTION TO COMPEL
	)	
Detailed Depreciation Study of Electric Utility Properties.	)	
	)	
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**I. INTRODUCTION**

Pursuant to OAR § 860-001-0420(4) and Administrative Law Judge (ALJ) Lackey's May 3, 2021 Ruling, the Oregon Citizens' Utility Board (CUB) hereby files this Response to the Alliance of Western Energy Consumers' (AWEC) Motion to Compel in the above-captioned proceeding. In its Motion to Compel (Motion), AWEC requests that the Public Utility Commission of Oregon (Commission) compel Portland General Electric Company (PGE or the Company) to produce the depreciation data as requested in AWEC's Data Request No. 002 in a native format as machine readable files.<sup>1</sup> As an alternative, AWEC recommends that the Commission open an investigation to establish minimum filing requirements for utilities in depreciation cases filed with the Commission.<sup>2</sup>

CUB supports AWEC's Motion. The issues at the core of AWEC and PGE's discovery dispute have implications that go beyond this proceeding. In order for Commission (Staff) and intervenors to adequately audit utility filings to ensure they will result in just and reasonable rates, it is critical to have full access to the utility's data and underlying workpapers. In the

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<sup>1</sup> UM 2152 – AWEC's Motion to Compel at 1.

<sup>2</sup> *Id.*

context of a depreciation case or other proceeding with voluminous workpapers and data, this means the ability to access data in a machine-readable format with spreadsheets that have workable cells. As noted by AWEC and PGE, a party seeking to review and audit data not provided in this format must manually convert the data for each individual table from this format to a computer-readable format, which is time-intensive, error prone, and could yield inaccurate results.<sup>3</sup> The information asymmetry between utilities and intervenors is vast, and the Commission should compel PGE to provide the information to ensure Staff and intervenors have the ability to accurately audit the filing. Should the Commission deny AWEC's Motion, CUB supports AWEC's alternative for the Commission to open an investigation to establish minimum filing requirements for utilities in depreciation cases.

## II. ARGUMENT

CUB agrees it is reasonable that PGE be required to provide the information in the format requested in AWEC DR 002. The information sought is clearly relevant to the proceeding. Further, if provided, CUB plans to access the information sought in AWEC DR 002 to aid in its review of the reasonableness of the Company's depreciation rates. Providing data and workpapers in a machine-readable format is common industry practice in a variety of proceedings. For example, in utility rate case filings, utilities commonly provide access to their revenue requirement models with workable cells. Another example is the utilities load forecasting models, which provide the models' input in a machine-readable file format. CUB and other intervenors routinely provide workpapers with cell formulae intact to aid utilities and other stakeholders in their review. By refusing to provide the information sought in a machine-readable format, PGE and its consultant are rendering an audit of the Company's filing

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<sup>3</sup> *Id* at 3.

extremely difficult to all parties. The end result may be an insufficient administrative record for Staff and intervenors to provide a recommendation and, ultimately, a record that is insufficient to support a sound Commission decision.

CUB finds AWEC's alternative recommendation to open an investigation to establish minimum filing requirements for utilities to be reasonable, since nearly all of the Commission-regulated electric and natural gas utilities use Gannett Fleming to perform depreciation studies. Having Commission guidance on the form and content for depreciation cases and an expectation for the data that should be provided may help avoid similar disputes in the future.

### III. CONCLUSION

CUB respectfully urges the Commission to grant AWEC's Motion. AWEC's Motion furthers the Commission's preference for a robust evidentiary record.<sup>4</sup> Further, it will enable CUB and other stakeholders to meaningfully examine PGE's filing. In the alternative, opening an investigation into minimum filing requirements in depreciation cases will help ensure consistency and avoid future disputes.

Dated this 18<sup>th</sup> Day of May, 2020.

Respectfully Submitted,



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<sup>4</sup> See, e.g., *in re Public Utility Commission of Oregon Investigation to Determine the Resource Value of Solar*, OPUC Docket No. UM 1716, Order No. 16-404 (Oct. 19, 2016) (“[W]e do not believe it to be in the public interest to make findings unless the record is sufficiently robust to inform sound decisions and to provide meaningful guidance and direction.”).