

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

In the Matter of

UM 2276

**PUBLIC UTILITY COMMISSION
OF OREGON,**

**ROGUE CLIMATE’S ANSWER
TO COMMISSION’S REQUEST FOR
INFORMATION
(MEMORANDUM DATED MAY 2, 2023)**

Justice Funding Pre-certification

Rogue Climate (RC) appreciates this opportunity to clarify its application and first amended application for Justice Funding pre-certification fund grant. The request for information presented in the Memorandum dated May 2, 2023, asks three questions.

The first and third are clarifying questions about RC’s budget. In its initial application filed on April 3, 2023, RC provided a very rough general budget and indicated its intent to file a detailed budget by transmitting a confidential budget directly to the commission and the participating utilities pursuant to section 7.3 of the Agreement by April 14, 2024, RC acknowledged that the development of that budget could necessitate filing an amended application. In the meantime, the commission granted an extension to April 21, 2023, for the filing of pre-certification fund grant applications. RC filed an amended application on April 21, 2023, which provided a summary budget (listing only the internal and external expenses attributed by docket and utility) and indicated that RC would directly transmit (and RC did transmit) to the commission and the participating utilities a detailed confidential budget which listed the eligible expenses by staff and consultant and hourly rates. To the extent there was a

discrepancy in the numbers, RC intended the confidential detailed budget to supersede the original rough summary budget presented in the first application. Nevertheless, the confidential budget was flawed in its calculations and an amended confidential budget is herewith simultaneously submitted **directly** to the commission and participating utilities, and RC's second amended application is also filed herewith.

The second amended application is also filed, in part, as a response to PGE's objection (filed on April 27, 2023) to RC's first amended application. A response to PGE's objection is the second request for information in the May 2, 2023, commission memorandum. RC appreciates the opportunity to respond and does so briefly here.

By way of background, on April 17, 2023, PGE filed comments on the initial pre-certification fund grant applications filed on April 3, 2023. The comments related to RC's initial application asked for an opportunity to further comment on RC's eligibility for funding "should RC seek funding from PGE's pre-certification fund." RC attempted to confer to get clarification from PGE about its concern, but received no response. After considering all of the pre-certification fund grant applications, it appeared PacifiCorp's pre-certification fund was oversubscribed and PGE's pre-certification fund was under subscribed.

Intending to be helpful and to avoid hard choices associated with that circumstance, RC filed an amended application and determined to split its eligible expenses related to the electric utility docket UM 2273, which involves both PacifiCorp and PGE between those two utilities, as the docket will benefit both utilities environmental justice community customers. RC described how the docket would affect the service and planning of both utilities. The argument made for the split was similar to the argument made to split eligible expenses between the two electric utilities in the related and predecessor proceeding, UM 2225, for which RC had received an

approved budget and an order directing PGE to pay half of RC's grant. See Order 23-099.

Moreover, RC's amended pre-certification fund grant application also specifically discussed RC's joint role in developing and maintaining a cohort of environmental justice consumers engaged in ensuring the appropriate implementation of HB 2021. That included the UM 2225 docket. Although RC did not specifically name the PGE customers it was jointly supporting in that cohort, there are such customers and RC's participation in that effort and the general participation of RC in the justice advocates coalition, who are divvying up the work in these dockets as they build capacity, is valued by coalition members and, as previously understood, by many of the utilities.

Nevertheless, PGE has objected. PGE asserts that RC must and has not demonstrated "representation of and significant ties to customers in the service territory for which the grant is sought," because RC has stated that its mission is to empower Southern Oregon communities and PGE service territory is not in Southern Oregon. This is an incorrect interpretation of the agreement and belies the negotiations just completed.

The agreement allows a few paths to eligibility and one of them is to demonstrate a capability to develop advocacy positions benefitting an environmental justice community in the service area. As an example, eligibility may be demonstrated by an organization's plan to coordinate with a low-income or environmental organization with a situs in Idaho Power's service territory to develop an outreach to customers in that territory to inform the representation of their interests and to support them in participating in an Idaho Power proceeding. Whether the grant-seeking organization has "significant ties" to that community, is only a factor for the commission to consider in making its determination of eligibility. RC has demonstrated it is capable of developing advocacy positions benefitting PGE environmental justice communities

and RC's work with the cohort and/or the justice advocate coalition who are within or work within PGE's service territory is a sufficient "significant tie."

Nevertheless, and again intending to be helpful, RC will postpone seeking a ruling on those issues to another day. This is the first application round of the negotiated program and the work in the dockets is underway, so RC will file a Second Amended application identifying PacifiCorp funds for the grant and ask for the alternative relief of a case fund grant for a portion of this request if the PacifiCorp pre-certified fund is oversubscribed.

RC respectfully submits this additional information and appreciates the opportunity to do so.

This 9th day of May, 2023.

/s/ Tonia L. Moro
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