

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

In the Matter of

UM 2276

**PUBLIC UTILITY COMMISSION OF
OREGON,**

**ROGUE CLIMATE’S AMENDED
APPLICATION FOR JUSTICE
FUNDING PRE-CERTIFICATION
GRANT**

Justice Funding Pre-certification

Pursuant to HB 2475 (ORS 757.072), OAR 860-001-0800, and the Justice Funding Agreement (Agreement) adopted by the Public Utility Commission (Commission) in UM 2211 by Order 23-033 (February 7, 2023), Rogue Climate (RC) submits this amended pre-certification grant funding application further clarifying its initial application filed on April 3, 2023.

Pursuant to section 5.2 of the Agreement, setting forth the criteria for pre-certification grants, this application, (a) demonstrates why RC meets the eligibility criteria set forth Section 5.3; (b) identifies the matters in which RC intends to participate, the nature of that participation, and why the matters are Eligible Proceedings; (c) identifies the Participating Public Utility account or accounts from which RC seeks funds; and (d) provides a general budget showing estimated Eligible Expenses and estimated consultant fees, expert witness fees, or contractor costs supported by a detailed confidential budget simultaneously transmitted directly to the Commission and the relevant participating utilities.

A. RC Meets the Eligibility Criteria Set Forth Section 5.3

Section 5.3 criteria requires a demonstration of the following: a) that RC represents low-income residential customers (low-income customers) or Environmental Justice Communities (EJ community) and that RC's participation will be primarily directed toward issues affecting those interests; b) that RC represents a particular EJ community or low-income customers and demonstrates its ability to effectively represent them; c) that RC demonstrates it is able to effectively represent or develop advocacy positions benefitting or informed by the Environmental Justice Community or low-income customers, in the service area of each Participating Utility for which pre-certification is sought and demonstrates how it will identify the issues or advocacy positions that are important to them; and d) if applicable, that RC has demonstrated its ability to substantively contribute to the record on behalf of such interests.

RC is a 501(c)(3) non-profit organization and has been found Eligible by the Commission under HB 2475 in Order 22-043 and in numerous orders granting funding pursuant to the Interim Funding Agreement (HB 2475) approved in that Order. The Findings in that Order remain valid:

Rogue Climate was founded in 2013 in the Rogue Valley of Southern Oregon. This organization serves and works alongside Southern Oregon and South Coast communities most impacted by climate change, including low-income, rural, youth, and communities of color, by organizing for clean energy, sustainable jobs, and a healthy environment. Rogue Climate does so through leadership development, political education, fostering conversations, and campaigns for policies that benefit these environmental justice and low-income communities.

Order 22-043, Appendix A p. 8.

In addition, and more specifically, RC is located and focuses work in Coos,

Jackson and Klamath Counties in PAC, Avista and NW Natural rate payer areas. Outside of RC's work in the PUC, RC has run programs to reduce the price of ductless heat pumps, provided relief for communities directly impacted by wildfires, and conducted campaigns to secure policies to address energy burden, extreme heat, develop resilience hubs and to address the health and safety impacts natural gas development. RC also focuses on state-wide, regional and federal policy and permit advocacy related to matters that may exacerbate climate change, may fail to consider and mitigate impacts to vulnerable environmental justice communities, or may diminish the resiliency of Oregon communities. RC often does this state-wide, regional and federal work in coordination with other organizations focusing on environmental justice, conservation and environmental protection. RC has demonstrated it is able to effectively represent, identify and develop advocacy positions benefitting or informed by the Environmental Justice Communities or low-income customers and its ability to substantively contribute to the record on behalf of such interests. RC has done so in the following dockets, among others, to date:

UM 2207/AR 638 (Pacific Power Wildfire Protection Plans / Risk-Based Wildfire Mitigation)

UM 2114/AR 653 (Customer Protections and Severe Weather Moratorium / Revisions to Division 21 Rules to Strengthen Customer Protections Concerning Disconnections)

UM 2211/AR 652 (Implementation of HB 2475 / Justice Funding Agreement)

UM 2225 (Investigation into HB 2021 Clean Energy Plans (CEPs))

UM 2178 (Natural Gas Fact Finding per EO- 20-04)

B. The Matters RC intends to Participate in, the nature of the Participation and the Reasons the Matters are Eligible Proceedings.

In October 2022, Verde, CC, NVEC, Multnomah County Office of Sustainability,

OJTA, and Rogue Climate came together to form the HB 2021 community cohort to further engage community members from across Oregon in utility clean energy planning and overall PUC processes. Cohort members are learning how to navigate the PUC website, how to engage in PUC community engagement opportunities, learning about the passage of HB 2021 and its significant administrative policy development, learning about the energy sector landscape, and more. So far, cohort members are specifically interested in community benefits, resiliency, addressing energy burden and energy justice, and making the PUC a space more accessible for community members. RC expect to continue its work with this cohort as utility CEPs are published at least through October 2023 when a review and determination will be made about extending it another year. Some funding for this work is included in the following dockets, including LC 80, LC 82, and UM 2273 as included and supplemented by a community organizer resource indicated in the confidential detailed budget.

RC intends to participate in the following dockets and anticipated dockets and describes hereunder the nature of the intended participation and why the proceeding is an eligible proceeding.

UM 2273 - HB 2021 Implementation (UM 2225):

Rogue Climate plans to participate in this docket by advocating for the implementation of HB 2021, which promotes equitable access to clean energy for all Oregonians. This docket is eligible because it is not a complaint proceeding and it is a contested case proceeding establishing public policies affecting the quality and price of utility services and utility resource planning. It is related to the legal, policy, and implementation questions related to CEPs which are HB 2021's mechanism for implementation of the emissions reduction targets. The mechanism requires the electric utilities to decarbonize their retail electricity sales with consideration for direct benefits to local communities. This docket will affect

the planning and service provision of both PGE and PacifiCorp.

RC intends to participate in all aspects of the proceeding as an intervener, represented by counsel. RC and will review and analyzing testimony, comments and supporting documentation. It will engage the services of counsel and devote staff time to conferring with and directing counsel. Counsel and/or staff will file briefs, pleadings, comments, testimony and supporting information and otherwise participate in the proceedings by researching and investigating the issues. RC will also continue its work with the cohort to foster public engagement in this proceeding. RC will continue its work engaging in Customer Benefits and Impacts Advisory Group workgroups and with members of those groups to promote success of CEPs.

This work aligns with RC's mission to promote community-based solutions to energy issues, including reducing greenhouse gas emissions and ensuring equitable access to clean energy on a state-wide basis.

AR 655 - Rulemaking Regarding Filing, Review, and Update of Clean Energy

Plans:

Rogue Climate plans to continue participation in this docket as a member of the Energy Advocates coalition, which is advocating for communities to be meaningfully involved in utility clean energy plans. This docket is eligible as the rulemaking will determine the requirements of filing, review and updating of Clean Energy Plans. This work is also directly tied to HB 2021 which specifically requires community benefits and minimizing burdens to environmental justice communities. Therefore, this work is also aligned with RC's mission to promote community-based solutions to energy issues, including ensuring that underserved communities are included in the clean energy planning process.

UM 2211 – Implementation of HB 2475 (Energy Affordability Act) (and related dockets involving PacifiCorp).

This matter concerns the continuing implementation of the Act which will involve the development of policy and programs that affect low-income, energy burdened and underserved communities. PacifiCorp is required to seek and consider stakeholder comments on the programs and implementation. Rogue Climate plans to continue participation in this docket individually and as a member of the Energy Advocates coalition by investigating the issues, reviewing and analyzing testimony, and reviewing and submitting comments and supporting documentation. RC has and intends to participated in PacifiCorp hosted meetings and work sessions. RC has and intends to continue its work enrolling discount

program eligible customers and engaging energy burdened customers and communities to foster their participation and otherwise represent their concerns. This docket is eligible as affects environmental justice communities and is not a complaint proceeding. This work is also aligned with RC's mission.

LC 80 - PGE IRP/CEP

This matter concerns the first application and implementation of rules and policy derived from HB 2021 and for which RC participated as an interested party. This docket will present issues of first impression that will affect statewide policy and will also be related to and affect PacifiCorp's IRP/CEP docket LC 82 for which RC intends to participate on behalf of its core environmental justice communities. Rogue Climate plans to continue participation in this docket individually and as a member of the Energy Advocates coalition by investigating the issues, reviewing, and analyzing testimony, and reviewing and submitting comments and supporting documentation. RC will be specifically supporting Energy Advocates with reviewing Chapters 7, 13 and 14 of PGE's CEP/IRP. RC will also help create digestible materials to inform HB 2021 cohort members about the details of PGE's CEP/IRP to better engage in the docket and give feedback which will also benefit the community outreach RC will do related to LC 82.

LC 82 - PacifiCorp IRP/CEP

In this proceeding Pacific Corp will seek acknowledgment of its 2023 Integrated Resource Plan which is intended to be significantly informed by its first Clean Energy Plan. This first CEP will be extremely consequential to Pacific Corp's ability to meet the carbon reduction targets of HB 2021. This matter concerns the first application and implementation by PacifiCorp of rules and policy derived from HB 2021 and for which RC participated as an interested party. RC plans to participate in this docket individually and as a member of the Energy Advocates. RC will review and analyze testimony, comments and supporting documentation in this proceeding as well as the parallel proceeding, LC 80, related to PGE's IRP and first CEP to inform the issues and advocacy relevant to this proceeding. RC will review those of others and file briefs, pleadings, comments, testimony and supporting information and otherwise participate in the proceedings by researching and investigating the issues.

RC is constantly engaged with the EJ community it serves throughout the State and in particular, Coos County, Jackson County and Klamath Counties, areas serviced by PacifiCorp. This engagement and other specific outreach as determined to be helpful and necessary will inform how RC will identify the issues or advocacy positions to take in the proceeding. RC will also help create digestible

materials to inform HB 2021 cohort members about the details of PGE's CEP/IRP to better engage in the docket and give feedback

C.& D. The Budget, Identifying and Describing the Utility Account or Accounts Where Funds Are Sought, and the Amount Sought for Each Fund, along with Estimated Eligible Expenses.

A detailed budget - is contemporaneously submitted confidentially and directly to the Commission and Participating Public Utilities pursuant to 7.3 of the Agreement.

Generally, the budget request is as follows:

UM 2273 - PacifiCorp 50%, PGE 50% - \$36,525 (\$18,262.50 each)

Internal Resources: \$20,525

External Resources: \$16,000

AR 655 - PacifiCorp 100% - \$1,500

Internal Resources: \$1,500

UM 2211 PacifiCorp 100% - \$5,350

Internal Resources: \$5,500

LC 80 PGE 100% - \$1,500

Internal Resources: \$1,500

LC 82 PacifiCorp 100% - \$4,500

Internal Resources: \$4,500

E. Notice

As required by Agreement Section 5.2, this pre-certification application is being served by email on all parties to the Agreement and the 2022 Pre-Certified Organizations (those pre-certified under Order 22-043): PacifiCorp; Portland General Electric Company (PGE); Northwest Natural Gas Company (NW Natural); Idaho Power Company; Avista Corporation; Cascade Natural Gas Company; Community Energy Project (CEP); Verde; the Community Action Partnership of Oregon (CAPO); and The

Coalition of Communities of Color (CCC). The supporting confidential detailed budget is also transmitted to the Commission and the relevant participating utilities, separately and through email.

F. Conclusion

For the foregoing reasons, RC respectfully requests the Commission deem RC and proceedings to be eligible and approve the pre-certified fund grant as requested herein. RC also seeks leave to supplement its statements of eligibility should further clarification be necessary. And, RC seeks alternative relief, attributing the whole of the funding request to PacifiCorp in UM 2273, and the whole of the funding request for work on LC 80 to PacifiCorp LC 82 as the expert consulting services provided by RC in LC 80 will benefit environmental justice communities state-wide and in PacifiCorp's service areas.

For the foregoing reasons RC respectfully requests the Commission deem RC and proceedings to be eligible and approve the foregoing grant application.

This 21th day of April, 2023

/s/ Tonia L. Moro
Tonia L. Moro, Counsel for Rogue Climate
Attorney at Law P.C.
19 S. Orange Street
Medford, OR 97501
541 973 2063
Tonia@ToniaMoro.com