

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2276

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON,

Approval of Justice Funding Precertification.

MEMORANDUM

Several important Justice Funding milestones are coming up soon. It will soon be time for the PUC to review applications for 2024 pre-certification funding, final requests for payment or release of Case Funds, and supplemental Pre-certification reporting for 2023.

Pre-certification applications for 2024

Consistent with section 5.2 of the Justice funding agreement (See [Order No. 23-033](#)) and OAR 860-001-0850 (See [Oregon Secretary of State Administrative Rules](#)), no later than **November 13, 2023** (November 10 is a state holiday) groups intending to receive pre-certification fund grants for the subsequent year must submit applications in UM 2276. The application must include the following:

- (a) A narrative on why the applicant meets the eligibility criteria set forth in OAR 860-001-0840;
- (b) The types of matters in which the applicant intends to participate, the nature of that participation, and why these types of matters are Eligible Proceedings;
- (c) The Participating Public Utility account or accounts from which the applicant seeks funds; and
- (d) A budget showing estimated Eligible Expenses.

The Commission may approve or deny, in whole or in part, the application based on any of the following factors, so addressing the following issues in the application is critical.

- (a) The breadth and complexity of the issues or the importance of community participation;

- (b) The degree to which any policy issues affect the interests of low-income residential customers or the interests of residential customers that are members of Environmental Justice Communities;
- (c) The proposed budget; which must include a description of the Participating Public Utility account or accounts from which the applicant seeks funds and how payments should be apportioned.
- (d) The eligibility criteria to which the applicant is subject;
- (e) The qualifications of the applicant and experience before the Commission; and
- (f) The level of available Pre-certified Funds consistent with the Agreement.

As stated in the agreement and rules, the Commission intends to review and act upon these applications expeditiously, ideally no later than the **December 28, 2023** regular public meeting.

Payment or Release of Case Fund Grants

Consistent with section 7.2 of the Justice Funding Agreement, a request for payment of Case Fund grants must be made to the Commission. Similarly, if a grantee will not spend allocated funds by the end of the year, that Grantee must file a release, describing the amount of funds that will not be spent, and those funds will be reallocated. Requests and releases can be made anytime during the eligible proceedings, but grantees should file requests for payment no later than **November 17, 2023**.

NOTE: Grantees who fail to file a request for payment or a notice of release by **December 15, 2023**, will be deemed to have released any remaining allocated funds into the Case Fund.

A request for payment must:

- (a) Itemize the expenses, payees and hourly rates for amounts to be reimbursed, including billing details, and including separately identified amounts for consultant or expert witness fees and travel expenses;
- (b) Demonstrate that the expenses are reasonable and are directly attributable to issues and positions pursued on behalf flow-income residential customers or Environmental Justice Communities and consistent with the grantee's Proposed Budget;

- (c) Provide information sufficient to show that the grantee has complied with any condition or requirement of the Case Fund Grant; and
- (d) Specify whether the request for payment is for a progress payment or final payment in full and indicate whether any approved budget amount may be released back to the applicable Case Fund because the grantee does not intend to request payment for the full approved budget amount.

Supplemental Pre-certification reporting

No later than **November 13, 2023**, I request that all pre-certification grantees for 2023 provide a supplement to previously requested reports. Specifically, grantees should provide detailed information about the manner in which the Pre-certification Fund Grant was spent (or will be spent before the year's end) consistent with the rules, whether a request for payment for remaining amounts has been filed, the remaining amount outstanding and whether the remaining amount or any initial amount will be released back to the fund.

For any questions regarding this communication, you may reach out to either me, Nolan Moser, at 503-689-3622 and nolan.moser@puc.oregon.gov or Diane Davis, at 971-375-5082 and diane.davis@puc.oregon.gov.

Dated this 25th day of October, 2023, at Salem, Oregon.



Nolan Moser
Chief Administrative Law Judge