

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UG 490**

In the Matter of	)	JOINT COMMENTS IN SUPPORT
	)	OF FULLY REMOTE
NORTHWEST NATURAL GAS COMPANY,	)	PROCEEDINGS IN UG 490
dba NW NATURAL,	)	
	)	
Request for a General Rate Revision.	)	
	)	
	)	
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In an Order issued February 5, 2024, Administrative Law Judge Spruce asked parties to file comments indicating “whether they prefer that either or both the evidentiary hearing or oral arguments be held hybrid or fully remote.” Intervenors Coalition of Communities of Color, Climate Solutions, Verde, Columbia Riverkeeper, Oregon Environmental Council, Community Energy Project, and Sierra Club along with the Oregon Citizens’ Utility Board (together, “Joint Commenters”) request that the Commission hold a fully remote evidentiary hearing and fully remote oral arguments.

The Joint Commenters support a fully remote format for the evidentiary hearing and the oral arguments for two primary reasons. First, holding fully remote proceedings promotes equitable access for environmental justice community members—particularly those with disabilities and those needing translation services—who want to meaningfully engage with the ratemaking process and have been traditionally excluded. Second, fully remote proceedings would preserve resources and substantially cut costs for parties and expert witnesses who are either out-of-state or are traveling during the pendency of both proceedings.

First, holding both proceedings fully remotely is supported by the Commission's latest efforts to eliminate procedural barriers and encourage public participation in ratemaking proceedings. The COVID-19 pandemic normalized fully remote proceedings, offering a greater degree of access for marginalized community members. Many community members—along with the Commission itself—have now familiarized themselves with the fully remote format. They are comfortable with the ability to drop in and out of proceedings at a time that works for them with minimal disruption. As a result, more community members know they can attend virtually despite their employment, childcare, and transportation limitations.

Fully remote proceedings are preferred over hybrid proceedings because they better meet the needs of people who require assistive technology such as real-time translation, accurate closed captioning, live transcription, or auditory accommodations on their cell phones. That is, fully remote proceedings offer community members opportunities for more meaningful engagement that may be absent in a hybrid format. Hybrid technology risks disruptions that may be unknown until the time of the proceeding, at which point it can be too late to make adequate adjustments. Examples include hearing room microphone malfunctions, inaccurate or incomplete closed captioning, and cameras positioned too far from speakers to enable speech recognition. Furthermore, with a hybrid format, there is an unavoidable divide between those attending in-person and those observing online, and for community members who choose to attend remotely, hybrid hearings exacerbate the sense of exclusion and removal from a proceeding that directly impacts them as ratepayers.

Second, conducting both proceedings fully remotely will conserve party resources. Hybrid hearings, even in the best of circumstances, can compromise effective advocacy and inevitably introduce an ongoing risk of technological mishaps that are limited to offsite

participants. In contrast, participants in the room with decision-makers can more easily interact with them, responding to body language and other subtle non-verbal cues while avoiding the distraction of online lag times. A hybrid hearing would require parties to consider expending resources for their witnesses and legal counsel to travel and participate in-person to avoid those liabilities. Consequently, a hybrid format can provide an advantage to a party with more resources, potentially further entrenching inequities that conflict with the Commission's emphasis on environmental justice. Fully remote proceedings help to even the playing field, maximizing flexibility and efficiency by reducing the time, travel, lodging, and litigation costs.

Accordingly, the Commission should hold a fully remote evidentiary hearing and fully remote oral arguments to increase public engagement, ensure fairness among the parties, and promote the efficient use of resources.

Dated this 20th day of February, 2024.

Respectfully submitted,

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