

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UG 490

In the Matter of:

NORTHWEST NATURAL GAS
COMPANY, dba NW NATURAL

Request for General Rate Revision

RESPONSE OF FOUR SMALL
BUSINESS TO BENCH REQUEST

Fair Oregon Utility Rates for Small Business (“FOUR”) responds to ALJ Moser’s Bench Request regarding FOUR’s Notice of Intent to Seek Intervenor Funding in this matter, with our responses corresponding to the numbered requests as follows:

1. List of current members of FOUR:

FOUR Small Business was recently created and incorporated in Oregon as a nonprofit organization without “members” in the legal ORS Chapter 65 sense of having people entitled to vote for the board of directors. Instead, the initial incorporators agreed to serve as board members, and the bylaws of the new organization assign responsibility for electing additional and new board members to the current board. Since incorporation, one additional board member has been added, bringing the size of the current board of three into alignment with the adopted bylaws.

In both the initial incorporation documents and the subsequently adopted bylaws, the purpose and the mission of the new organization is clear that it is intended to represent the interests of all Oregon small businesses, so that is the constituency, if not the membership in a technical legal sense, of FOUR.

As noted in FOUR’s Petition for Case Certification, all three board members are owners of small businesses in Oregon, as are the additional volunteers who have served on the initial committee developing FOUR’s 2024 budget. Other small businesses have made early financial contributions to help cover start-up expenses such as establishing a post office box, website hosting, and administrative filing fees.

FOUR’s incorporators and initial board members, some of whom had previously served on the SBUA Oregon advisory committee, specifically decided to *not* operate FOUR as a membership organization the way SBUA Oregon did. The goal of FOUR is to represent the interest of *all* Oregon’s small businesses in energy matters, not merely those who are funding the organization.

2. Audited financial statements:

Our current financial statements are submitted confidentially as Exhibit A, attested to as true and accurate by FOUR's interim treasurer, Jan Wilson.

3. Incorporation documents:

FOUR's articles of incorporation are publicly available on the Oregon Secretary of State website as e-filed with the State of Oregon on January 31, 2024. FOUR also obtained a federal EIN, which is 99-1020893, and is in the process of obtaining IRS determination of tax-exempt status, which IRS rules allow two years from the date of incorporation to finalize.

4. Consulting agreement with Henkels Law:

Submitted confidentially as Exhibit B is the retainer agreement between FOUR Small Business and Henkels Law for legal representation in PUC matters.

5. Contact info for FOUR administrators:

Contact info for Todd Kimball, FOUR's board president, is listed on FOUR's Petition to Intervene. Todd respectfully requests that ALJ Moser refrain from contacting him by phone unless a phone conference is scheduled, as unscheduled phone calls interrupt his work day.

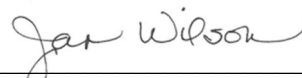
Jan Wilson, former SBUA Oregon advisory committee member, Oregon licensed attorney, and longtime nonprofit Executive Director, is acting as interim treasurer for FOUR. She may be contacted by email at jan@janwilsonlaw.com, and only as necessary by phone at 541-341-1380.

6. Financial operations info:

Provided confidentially in separate response letter.

In closing, while we understand ALJ Moser has concerns about SBUA Oregon's procedures in past PUC matters, we hope he will trust that, with this new entity, the board of FOUR has addressed many of the concerns and is committed to handling things differently, to assure timely and competent legal representation and expert review in all PUC matters in which FOUR decides to engage going forward.

Respectfully submitted on March 18, 2024,



Jan Wilson, OSB 965561, Interim Treasurer,
FOUR Small Business
Jan Wilson Law
4790 SW Seymour Ct., Portland, OR 97221
jan@janwilsonlaw.com
541-341-1380