

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UG 490**

In the Matter of) COMMUNITY ENERGY PROJECT,
) COALITION OF COMMUNITIES OF
NORTHWEST NATURAL GAS COMPANY,) COLOR, AND VERDE: NOTICE OF
dba NW NATURAL,) INTENT TO REQUEST JUSTICE
) FUNDING CASE FUND GRANT AND
Request for a General Rate Revision.) CASE CERTIFICATION; PROPOSED
) BUDGET
)
) **UPDATED AND AMENDED REQUEST**

In compliance with OAR 860-001-0800 through OAR 860-001-0900 and the Justice Funding Agreement adopted by the Oregon Public Utility Commission (Commission) in UM 2211 by Order 23-033 (February 7, 2023), the Community Energy Project (CEP), Coalition of Communities of Color (CCC) and Verde file this UPDATED and AMENDED Notice of Intent to Request Justice Funding Case Fund Grant, Request for Case Certification, and Proposed Budget. This filing amends the previously filed Notice of Intent to Request Justice Case Funding filed with the Oregon Public Utility Commission on March 14, 2024 to capture the expected expenses for an additional expert witness.

The organizations are submitting a combined request because they are splitting a portion of expert witness fees among the three groups. This request will not unduly delay the schedule of the proceeding.

- 1. CEP, CCC, and Verde are eligible for a Case Fund Grant because they represent the interests of environmental justice and low-income NW Natural ratepayers.**

CEP, CCC, and Verde qualify to receive a Justice Funding Grant under OAR 860-001-0840 and the Justice Funding Agreement. All three organizations are pre-certified organizations under HB 2475.¹

Founded 44 years ago, CEP works to ease the energy burden on frontline communities and has become a part of a larger movement toward electrification to decrease carbon emissions.

¹ Or. Public Util. Comm'n Order No. 23-485 (Dec. 28, 2023), <https://apps.puc.state.or.us/orders/2023ords/23-485.pdf>.

CEP, CCC, AND VERDE REQUEST FOR JUSTICE FUNDING,
CASE CERTIFICATION, AND PROPOSED BUDGET
UPDATED AND AMENDED
UG 490

Earthjustice
810 Third Ave. Suite 610
Seattle, WA 98104
(206) 343-7340

Its clients include seniors, people with disabilities, women, people experiencing low income, people of color, and other historically marginalized groups. CEP annually serves over 2,500 residents.

CCC is an alliance of culturally-specific community based organizations that work directly with Black, Indigenous, and people of color (BIPOC) community members on issues such as housing, education, environmental justice, and economic justice.

Verde is one of the longest-running people of color-led environmental organizations in Oregon. Verde serves communities by building environmental wealth through social enterprise, outreach, and advocacy. Since 2005, Verde has brought environmental infrastructure to low-income neighborhoods, engaged residents to design and implement these projects, and ensured that environmental investments contribute to community well-being.

CEP, CCC, and Verde's participation in this proceeding will be directed at public utility issues affecting their communities, including low-income bill discount rates, fixed charges, advertising and lobbying expenses, procedural equity, and line extension allowances. CEP, CCC, and Verde plan to address community interests per OAR 860-001-0840 (1)(a) through analysis of cost allocations, impacts to customers, and utility resources.

Per OAR 860-001-0840 (1)(d), CEP, CCC, and Verde can effectively represent low-income and BIPOC ratepayers in NW Natural's service territory because of their continued ties and commitment to furthering goals of equity. CEP, CCC, and Verde's involvement in the community include building relationships with community advocates, utility, and PUC staff to elevate low-income and environmental justice issues. CEP, CCC, and Verde continue to advocate for environmental justice and low-income ratepayers through a variety of platforms and issues. All three organizations have substantively contributed to the record on behalf of those interests by participating in contested cases (such as UG 435 and UM 2273) as well as non-contested cases (such as ADV 1390, LC 79, LC 82, UM 1893, UM 2114, UM 2005, UM 2111, and UM 2211).

2. UG 490 is an Eligible Proceeding under OAR 860-001-0830.

UG 490 is an eligible proceeding under OAR 860-001-0830 (1) because it is a contested case that affects NW Natural, its customers, and Environmental Justice Communities including low-income NW Natural ratepayers who are often energy burdened.

3. This filing serves as a notice of intent.

The initial notice was served on March 14, 2024, to NW Natural, all Pre-Certified Organizations, and all Parties to UG 490. CEP, CCC, and Verde intend to request a Case Fund Grant from NW Natural.

CEP, CCC, AND VERDE REQUEST FOR JUSTICE FUNDING,
CASE CERTIFICATION, AND PROPOSED BUDGET
UPDATED AND AMENDED
UG 490

Earthjustice
810 Third Ave. Suite 610
Seattle, WA 98104
(206) 343-7340

4. **Proposed budget**

a. **Statement of Work**

CEP, CCC, and Verde intend to participate in this proceeding, including internal meetings, testimony review and drafting, and hearings. They have, and will continue to, review and analyze NW Natural’s proposed tariff revision, testimony, discovery requests, and comments, and draft briefs and responses where appropriate. CEP, CCC, and Verde also intend to consult an expert witness.

As mentioned, CEP, CCC, and Verde intend to continue to investigate NW Natural’s proposed revenue increase, reflected in rate schedule changes that increase natural gas distribution rates. This includes review and analysis of the requested revenue requirement through: the bill discount rate, Climate Protection Plan (CPP) costs (or the equivalent proxy), memberships and dues, advertising and lobbying expenses, fixed costs, return on equity, and line extension allowances. Addressing these issues will contribute to a more equitable solution that accounts for deficiencies and, in turn, benefits low-income NW Natural ratepayers and other Environmental Justice Communities.

b. **Eligible Expenses for CEP²**

Personnel	Hours	Rate	Cost
Previous Request (filed 3/14/2024)			\$13,523
Portion of New Expert Witness (split three ways)			\$5,000
TOTAL AMENDED REQUEST			\$18,523

² Note that CEP’s Pre-Certification Request reflected an expectation of participating in NW Natural’s rate case, but in expending the pre-certification funds CEP finds that it will be participating in NW Natural’s IRP update and phase 2 of the HB 2475 implementation process. See CEP’s Notice to Request HB 2475 Pre-Certification Funding, UM 2276 at 4 (Nov. 13, 2023), <https://edocs.puc.state.or.us/efdocs/HNA/um2276hna111037.pdf>. The amount requested here is in addition to the pre-certification funding request.

c. **Eligible Expenses for CCC**

Personnel	Hours	Rate	Cost
Previous Request (filed 3/14/2024)			\$8,478
Portion of New Expert Witness (split three ways)			\$5,000
TOTAL AMENDED REQUEST			\$13,478

d. **Eligible Expenses for Verde³**

Personnel	Hours	Rate	Cost
Previous Request (filed 3/14/2024)			\$3,333
Portion of Expert Witness (split between intervenors)			\$5,000
TOTAL AMENDED REQUEST			\$8,333

Dated this 20th day of May, 2024.

Respectfully submitted,

/s/ Jaimini Parekh

Jaimini Parekh, OSB No. 226337
 Kristen L. Boyles, WBSA No. 23806
 (Admitted *pro hac vice*)
 Michael Mayer, WSBA No. 32135
 (Admitted *pro hac vice*)
 Noorulanne Jan, WBSA No. 61024
 (Admitted *pro hac vice*)
 Earthjustice
 810 Third Avenue, Suite 610

³ Verde intends to submit a separate request amending its pre-certification funding request to compensate it for its participation in UG 490. It does not make a separate funding request for its staffing needs here.

Seattle, WA 98104

206-343-7340

jparekh@earthjustice.org

kboyles@earthjustice.org

mmayer@earthjustice.org

njan@earthjustice.org

/s/ Carra Sahler

Carra Sahler, OSB No. 024455

Green Energy Institute at Lewis & Clark Law School

10101 S. Terwilliger Blvd.

Portland, OR 97219

503-768-6634

sahler@lclark.edu

CEP, CCC, AND VERDE REQUEST FOR JUSTICE FUNDING,
CASE CERTIFICATION, AND PROPOSED BUDGET
UPDATED AND AMENDED
UG 490

Earthjustice
810 Third Ave. Suite 610
Seattle, WA 98104
(206) 343-7340