



Oregon Citizens' Utility Board

610 SW Broadway, Suite 400
Portland, OR 97205

(503) 227-1984
www.oregoncub.org

August 18, 2022

Public Utility Commission
Attn: Filing Center
P.O. Box 1088
Salem, OR 97308-1088

RE: UM 2211/ADV 1412/UE 409 - Joint Advocates Second Round Comments on Pacific Power's Low-Income Discount Program

The Oregon Citizens' Utility Board (CUB), the Community Action Partnership of Oregon (CAPO), and the Community Energy Project (CEP) appreciate the opportunity to provide comments on Pacific Power's (PacifiCorp) revised proposed Low-Income Discount Program filed on August 12, 2022. In general, Joint Advocates are satisfied with most of PacifiCorp's interim program proposal, but we strongly believe there should not be a cap on a customer's contribution to this important relief program. The Joint Advocates highlight the diligent work within the docket between Staff, stakeholders, and PacifiCorp to reach this compromise. We do not believe the launch of the program should be delayed due to the issues the Alliance of Western Energy Consumers' (AWEC) raised after the comment deadline.

No Customer Cap

Joint Advocates agree with PacifiCorp's statements at the August 8 workshop, that there should not be a cap on customer contributions to this low-income relief program, at least not during this interim phase. It is reasonable to ask all customers to contribute at the same or similar percentage of rate increase. AWEC's proposed \$1,000 cap would result in residential and small commercial customers having to make up the difference of what large customers would have otherwise contributed. It doesn't make sense to lessen the burden of PacificCorp's largest customers only to place it on Oregon households who are already making a meaningful contribution to help others in need. PacificCorp's wealthiest customers shouldn't get a pass from providing meaningful contributions to a relief program for energy-burdened Oregonians.

A fairer interim program will spread the rate impact equally across customers – an equitable and reasonable way to cover the costs of this interim program. CUB previously requested that the UM 2211 investigation consider a Percentage of Income Payment Plan (PIPP) option for the low-income programs. This mechanism is only feasible if non-residential customers are paying their share to avoid placing a majority of the costs on smaller energy customers. While PGE's program places a \$1000 cap on customers' contributions, Portland General Electric's low-income assistance program was rolled out on an expedited basis to provide timely relief energy-burdened customers. CUB's lack of comment on an expedited interim program should not constitute approval of a topic. CUB is considering proposing changes to the interim cap in PGE's program in a future proceeding.

We maintain that there should not be a cap on customer contributions during this interim phase. If the Commission feels strongly that AWEC's customers should have limited contributions to this

program, then basing that cap on kWh is preferable to a flat dollar cap. At the workshop with PacifiCorp and stakeholders, Joint Advocates appreciated PacifiCorp's effort to find a compromise with a proposed kWh cap alternative, but CUB did not agree that a cap is necessary for large energy customers. CUB indicated that we wanted to see large customer kWh data to determine if a reasonable kWh cap exists.

The Commission Can Approve Low-Income Programs

CUB believes the PUC has authority to approve utilities' low-income programs, contrary to AWEC's argument otherwise. While we do not believe this docket is the appropriate forum to bring a legal challenge to the Commission's authority, we believe that HB 2475 intended to and does authorize the Commission to approve bill reduction programs. CUB can provide further comments on the legal issues raised by AWEC if the Commission wants to explore them further.

Residential Customer Charge - Schedule 92

In PacifiCorp's initial filing, the Company proposed to spread the cost of this program to residential customers using a monthly bill charge. The Company calculated the proposed monthly residential surcharge by multiplying the per kWh rate for this rate schedule by 1000 kWh. CUB is supportive of the Company's rate design proposal for residential customers. CUB recommends that the monthly charge instead be calculated based on average residential usage, which is approximately 900 kWh monthly. CUB makes this proposal to ensure that residential customers are accurately charged for this cost. It is CUB's understanding that Pacific Power does not oppose CUB's proposal.

Affordable Housing and Master Meters

In the PUC public meeting on August 9, 2022, the Commission discussed ADV 1391, PacifiCorp's request for an exemption to the master meter prohibition in the Company's Rule 8 Tariff. PacifiCorp stated it has had several requests from affordable housing developers to approve master meter installations for new apartment buildings. In their report to the Commission, Staff expressed concerns about the loss of the direct relationship between the low-income customer and the utility, given that removing individual meters could cause low-income customers to lose energy assistance, including eligibility for the low-income bill discount program. The Commission directed the Company to work with stakeholders in this docket and propose a viable solution to this issue within 60 days of the Commission's decision in that docket.¹ CUB reached out to the Company on August 18 to schedule a time to discuss PacifiCorp's strategy to engage with stakeholders. Joint Advocates ask the Commission to direct PacifiCorp to update this docket with their plans on addressing ADV 1391 with stakeholders.

Interim Investigation

As the UM 2211 interim investigation continues, Joint Advocates would like PacifiCorp to determine how it will assess its program's ability to reduce energy burden for its most vulnerable customers, while keeping costs low for the rest of its customer base.

Throughout the development of these interim programs, it has become clear that creating equitable programs requires understanding the demographics and experiences of customers in a utility's service territory. Joint Advocates ask that PacifiCorp conduct a Low Income Needs Assessment

¹ PUC Staff Report, Pacific Power Docket No. ADV 1391, Amends Rule 8, Metering to Include an Exemption for Master Metering, p 7 (August 10, 2022).
https://oregonpuc.granicus.com/MapView.php?view_id=2&event_id=705&meta_id=33656.

(LINA), like it did in its California and Washington service territories, and consider taking advantage of existing data available from agencies and organizations like Oregon Health and Community Services (OHCS), Oregon Energy Fund, and Energy Trust Oregon, as well as PacifiCorp’s own data collection.²

Joint Advocates reiterate concerns and suggestions made in our prior comments, particularly that the low-income program investigation is ongoing, and this interim program does not set a precedent for the final program. Information gathered from the interim program, ongoing stakeholder input, and further research will assist the investigation in identifying best practices to reduce the disproportionate energy burdens experienced by marginalized residential customers, as intended by HB 2475.³ Joint Advocates thank PacifiCorp for its proposal and the efforts that it put into developing and revising it. We also thank PUC Staff for its guidance in developing these innovative and important programs.

Respectfully submitted,

/s/ Kate Ayres

Kate Ayres
Policy Advocate
Oregon Citizens’ Utility Board
610 SW Broadway, Ste. 400
Portland, OR 97205
T. 503.227.1984
E. kate@oregoncub.org

/s/ Jennifer Hill-Hart

Jennifer Hill-Hart, OSB #195484
Policy Manager
Oregon Citizens’ Utility Board
610 SW Broadway, Ste. 400
Portland, OR 97205
T. 503.227.1984
E. jennifer@oregoncub.org

/s/ Benedikt Springer

Benedikt Springer
Utility Policy Coordinator
Community Action Partnership of Oregon
T. 661.281.8139
E. Benedikt@caporegon.org

/s/ Alma Pinto

Alma Pinto
Climate Justice Associate
Community Energy Project
T. 971.544.8706
E. alma@communityenergyproject.org

² PacifiCorp, Re: Advice Filing 22-008, p 3 (June 16, 2022) [https://edocs.puc.state.or.us/efdocs/UAA/uaa165213.pdf](https://edocs.puc.state.or.us/efddocs/UAA/uaa165213.pdf)

³ HB 2475 authorized the Commission to consider “differential energy burdens on low-income customers and other economic, social equity or environmental justice factors” when determining utility rates. Sec. 2(1), HB 2475 (2021), codified as ORS 757.230(1).