

December 21, 2023

Ms. Connie Aschenbrenner  
Idaho Power  
CAschenbrenner@idahopower.com

Re: Procedural equity in Low Income Bill Assistance Program discussions

Dear Ms. Aschenbrenner,

We are writing to discourage Idaho Power from finalizing the design of the Low Income Bill Discount Program (the Program) in its recently filed Request for a General Rate Revision, Docket No. UE 426 (the Rate Case) and to recommend that it instead finalizes the Program's design in Docket No. UM 2211 in an expedited manner. We are a group of stakeholders that advocated for the passage of HB 2475 (2021) and that have since been deeply involved in its implementation. Our recommendation is based on our experience with the varying degrees of procedural justice<sup>1</sup> afforded by the different processes through which utilities launched, and implemented aspects of, their programs for customers with low incomes pursuant to HB 2475.

We appreciate Idaho Power's efforts to thoughtfully design a Program that is responsive to its community's characteristics and needs. However, we are worried that finalizing Idaho Power's Program through Rate Case would severely limit procedural justice. As the September 29, 2023 comments that advocates submitted in Docket No. UM 2211, some aspects of the Program remain to be finalized. Given the importance of having a variety of voices in finalizing and launching the Program, Idaho Power should follow the example of all other utility's and pursue the pre-program launch approval in UM 2211 instead of through the significantly less accessible process afforded by a Rate Case.

Another consideration that leads us to this request is that time is of the essence. Idaho Power customers who stand to benefit from the relief offered by the Program need that assistance as soon as possible, yet Idaho Power is moving many months after other investor-owned utilities in Oregon. The experience of other utilities shows that the Commission can move more rapidly to approve the Program in UM 2211 than it would be able to move in a rate case that requires decisions on a myriad of topics.

As a general matter, we are seriously concerned about the potential for any utility seeking decisions on policy issues that impact low-income customer programs in rate cases. By their very nature, rate cases are loaded with a large number of issues and have high barriers to engagement. Even if advocates are able to overcome some of those barriers and intervene in order to impact design questions around programs that serve customers with low-incomes, they

---

<sup>1</sup> Initiative for Energy Justice, *The Energy Justice Workbook*, available at <https://iejusa.org/section-1-defining-energy-justice/> ("Procedural justice concerns who is at the decision-making table, and whether, once at the table, everyone's voice is heard.")

would need to deal with the burden of having to navigate through the many issues in the rate case. This is simply unnecessary when policy dockets like UM 2211 are available and have a successful record of fostering inclusive processes on the same type of program. Choosing to address policy issues around these programs in a rate case has the impact of curtailing engagement regardless of the utility's intent.

We understand that some stakeholders and Staff have already expressed to Idaho Power concerns with the limited accessibility of the rate case. As a result, should the utility seek pre-Program-launch approval in the rate case, the utility would be knowingly choosing a drastically less accessible forum with full knowledge of the impact of its decision and against the request of stakeholders. We fail to understand what would be a reasonable foundation for that decision.

Utility decisions impact people's lives, and fostering participation of a broader set of stakeholders than what utilities have traditionally encountered will help utilities and the Commission design better programs and take more thoughtful actions. This is true when we are discussing issues that impact customers with low incomes and is true for most, if not all, of the many utility and regulatory decisions that touch our communities' lives. We worry that if we cannot even have procedural justice in conversations about low-income issues, our chances of encountering procedurally just conversations on other issues seem dim.

Thank you for your consideration of our request to have the process for the implementation of your Low Income Bill Discount Program in Docket No. UM 2211.

Sincerely,

Alma Pinto  
Energy Justice Policy Associate  
NW Energy Coalition

Anahí Segovia Rodriguez  
Energy Justice Coordinator  
Verde

Jennifer Hill-Hart  
Policy Manager  
Oregon Citizens' Utility Board

Kate Ayres  
Policy and Advocacy Manager  
Community Energy Project

CC: Ms. Megan Decker  
Chair  
Public Utility Commission of Oregon  
megan.decker@state.or.us

Ms. Michelle Scala  
Energy Justice Program Manager  
Public Utility Commission of Oregon  
Michelle.m.scala@puc.oregon.gov