



# Oregon

Tina Kotek, Governor

**Public Utility Commission**

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1/9/2024



**Subject:** Oregon Public Utility Commission Staff's Comments on Procedural Equity in  
Docket No. UE 426 – Idaho Power Company's 2024 General Rate Revision

On January 3, 2024, letters of concern over procedural equity were posted to the record of Docket No. UE 426 Idaho Power Company's 2024 General Rate Revision. Staff acknowledges and echoes the concerns raised by the NW Energy Coalition, Verde, Oregon Citizens' Utility Board, and Community Energy Project on behalf of their organizations and the environmental justice communities they support. Staff recognizes that general rate cases have posed significant barriers to inclusive participation and this lack of representation for environmental justice communities comes at the expense of equity informed outcomes. Staff is committed to addressing the procedural inequities in Commission processes, which will involve ongoing work on the part of the PUC and rate case parties.

Staff has identified the following initial strategies to continue making process on procedural equity issues in the Idaho Power General Rate Case and looks forward to further discussion with parties:

1. **Commissioner Workshop:** A Commissioner workshop held in advance of the first settlement conference on high-priority issues identified by Staff and interested parties that impact environmental justice communities, such as Idaho Power's income qualified bill discount proposal. The workshop is an opportunity to center the perspectives of representatives from environmental justice communities, including intervenors and non-intervenor, and allows the Commission to express minimum expectations for resolution of priority issues if desired.
2. **Procedural Intentionality Regarding Settlement Conferences:** Staff will work with parties to structure settlement conferences and multi-party engagements to better reflect the resource disparities environmental justice advocate organizations face in rate case settlement and maximize the reach of HB 2475 intervenor funds. For example, Staff will ensure that high priority issues for intervenors representing environmental justice communities are discussed only during designated times where those intervenors can be present.
3. **Public Participation and Language Accessibility:** Staff encourages the Administrative Hearings Division to provide multiple opportunities for meaningful public comment from the advocate community and individual members of the public through written or verbal comments. Staff is committed to incorporating public input in its analysis and supporting the Administrative Hearings Division in promoting language accessibility and other improvements to public comment processes under consultation with advocates.

Staff's goal in these initiatives is to ensure that all stakeholders, especially those from historically underrepresented communities, can effectively participate in and influence the outcome of this proceeding in an equitable manner. Procedural justice ensures that the processes leading to decisions are fair, transparent and advance equitable outcomes. It emphasizes the inclusion of diverse perspectives and leads to more comprehensive and informed decisions. Further, Staff recognizes that decisions made through a procedurally just process are more likely to be supported by the public impacted by them, such that an equitable process provides all parties with the assurance that their voices were heard. Staff recognizes that procedural justice is still developing in PUC proceedings and that this strategy does not address all the barriers and limitations faced by groups wishing to participate and influence outcomes. Staff encourages continued dialogue on how to improve this and future strategies in the interest of equity and appreciates engagement on this topic.

We look forward to constructive feedback with all parties involved and remain dedicated to ensuring that our proceedings reflect our agency's commitment to equity and justice.

Dated at Salem, Oregon, this 9th day of January, 2024.

*Michelle Scala /s/*

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