



DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

December 19, 2023

VIA EMAIL - puc.filingcenter@puc.oregon.gov

Public Utility Commission of Oregon
ATTN: Filing Center
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**Re: Docket No. UE 430 — Portland General Electric Company,
Investigation into New Load Connection Costs**

Dear Judge Moser and Judge Mapes:

In response to your procedural conference memorandum¹ and our discussion at the December 11 status conference, Staff of the Oregon Public Utility Commission of Oregon (Staff) state that we support moving the deadline by which Portland General Electric (PGE) must be ready to file a proposed interim tariff from December 28, 2023, to March 31, 2024.

As provided in the PGE statement below, the Company agrees to make certain filings in this docket to give Staff assurances the Company will mitigate customer risk while developing a more thoughtful and well-defined tariff that PGE agrees to file by the end of March.

Background

On October 30, 2023, the Public Utility Commission of Oregon (Commission) adopted certain stipulations regarding PGE's request for a general rate revisions and an update to PGE's 2024 annual power costs in Order No. 23-386.² Under the fourth partial stipulation, the parties agreed to open an investigation to address new load connection costs.³ The Commission adopted the fourth partial stipulation and directed the Administrative Hearings Division (AHD) to open a docket and set a schedule.⁴

The Commission further stated that they "wish to consider whether to adopt an interim measure to mitigate customer risk during the pendency of the investigation, and therefore, PGE

¹ *In the Matter of Portland General Electric Company, Investigation into New Load Connection Costs.*, Docket No. UE 430, Procedural Conference Memorandum (December 11, 2023).

² *In the Matter of Portland General Electric Company, Request for a General Rate Revision; and 2024 Annual Power Cost Update*, Docket No. UE 416, Order No. 23-386 (October 30, 2023).

³ *Id.* at 14.

⁴ *Id.*

should be prepared to file a proposal for an interim tariff in this new docket by December 28, 2023.”⁵

AHD subsequently opened this docket and held a status conference on December 11.

At the status conference, PGE stated a preference to file a tariff by March 31. Staff prefers to see “an interim measure to mitigate customer risk,” per the Commission’s Order. Staff and PGE agreed to file a joint letter to the docket no later than December 19.

Agreement on risk mitigation for customers

Following the status conference, PGE and Staff met to discuss ways to provide PGE with more time to develop a tariff while giving Staff assurance that PGE will adequately mitigate customer risk.

In response to Staff’s concern, PGE states the following:

PGE agrees and confirms for Staff that consistent with Rule I of PGE’s Tariff, all new large load customers will be required to pay for necessary infrastructure costs up front, enter into a customer agreement that specifies minimum customer loads (“Customer Agreement”) or a combination of up-front payment and Customer Agreement.

Any new Customer Agreements entered into prior to the effective date of any changes to PGE’s tariff that result from a Commission final order or filings in docket UE 430 will contain a provision that requires PGE and the customer to amend the Customer Agreement to conform to any requirements in any Commission final order or resulting PGE compliance filing in UE 430, including but not limited to the new large load customer’s responsibility to pay additional costs directly related to its new large load.

PGE will submit a filing or statement in January 2024 in UE 430 consistent with the above. In addition, PGE will file in UE 430 proposed tariff changes with explanatory material by the end of March 2024.

Although PGE cannot guarantee what schedule is acceptable to all parties to UE 430 or that may be adopted by Judges Mapes or Moser, PGE is agreeable to a reasonably expedited process with a goal that all filings before the Commission on PGE’s proposed tariff changes are submitted by the end of June 2024.

⁵ *Id.*

With these assurances from PGE, Staff supports a timeframe that provides the Company with more time to develop a deliberate and well-designed tariff filing.

Schedule if Deadline for Tariff Filing

If the deadline for PGE’s readiness to file a proposed interim tariff is extended, Staff and PGE have agreed to the following schedule with more details to be developed at a later date and in consultation with other stakeholders who have an interest in this proceeding.

January 18, 2024	PGE filing on Customer Risk Mitigation
March 31, 2024	PGE Tariff Filing
June 30, 2024	Deadline to Complete Party Comment Submissions

Consultation with Other Parties

Staff reached out to and shared a draft of this letter with the Citizens Utility Board (CUB) and the Alliance of Western Energy Consumers (AWEC). Unfortunately, there was not sufficient time to coordinate and accept feedback to incorporate into a fully developed schedule with these stakeholders.

AWEC does not support the contents of this letter but does not object to moving the December 28 filing deadline. CUB does not object to the contents of this letter.

Staff notes that this letter does not fully develop a procedural schedule and will work with all stakeholders to more develop a more detailed schedule in the near future.

Conclusion

Staff respectfully requests that Chief Administrative Law Judge Moser modify the December 28 deadline as stated in Commission Order No. 23-386.

Respectfully submitted,

/s/ Betsy Bridge

Betsy Bridge
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