



**Cleantech Law Partners, PC**

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August 19, 2013

Oregon Public Utility Commission  
Attention: Filing Center  
3930 Fairview Industrial Dr. SE  
PO Box 1088  
Salem, OR 97308-1088  
E-mail: PUC.filingcenter@state.or.us

Re: Docket UM 1158—Energy Trust of Oregon Performance Measures

Dear Oregon Public Utility Commission:

Small Business Utility Advocates (“SBUA”), submits these comments with regard to UM 1158 concerning Energy Trust of Oregon’s (“Energy Trust”) Performance Measures pursuant to the Agreement the Energy Trust has with the Oregon Public Utility Commission (“Commission”), and the Commission’s Orders 12-094 and 13-070.

Small Business Utility Advocates, <http://utilityadvocates.org/>, is a nonprofit organization that represents, protects, and promotes the interests of the small business utility customers. SBUA endeavors to provide information and assistance with regard to utility conservation measures available to small business; notify the small business community regarding proceedings before utility commissions, appropriate federal regulatory agencies, the courts, and other public bodies; and provide advice to small businesses with respect to utility service.

Small businesses are referred to differently in different State of Oregon sources, but generally signify businesses with a certain number of employees. For example, ORS 183.310, the Oregon Administrative Procedures Act, Section (10) defines “Small business” as “a corporation, partnership, sole proprietorship or other legal entity formed for the purpose of making a profit, which is independently owned and operated from all other businesses and which has 50 or fewer employees.” As used in the Oregon Small Business Development Act of 1983, “small business” means a business having 100 or fewer employees. ORS 285B.123(2).

In March 2012, more than half of the private-sector firms in Oregon had fewer than five employees, and firms with fewer than 20 employees accounted for 89 percent of



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all Oregon firms.<sup>1</sup> By comparison, firms with 250 employees or more represented less than one percent of the total number of firms but employed about 36 percent of Oregon workers.<sup>2</sup>

It is difficult to know exactly, however, of the 1,400,277 customers of OPUC regulated utilities<sup>3</sup>, commercial and industrial customers of OPUC regulated utilities number 195,803, according to 2011 OPUC statistics.<sup>4</sup> Many if not the vast majority of those commercial and industrial customers are likely to be small businesses.

While Energy Trust of Oregon (“Energy Trust”) is focused primarily on OPUC regulated utilities, many small businesses throughout the state impact and are impacted by impacted by Energy Trust’s work. Energy Trust’s trade allies are ambassadors in the field. As Energy Trust describes, its trade ally network of more than 1,700 independent contractors and 950 other allied professionals help homeowners, businesses, public and nonprofit entities, developers and others complete energy-efficiency and renewable energy projects across Oregon and in southwest Washington. See <http://energytrust.org/trade-ally/>. Quite often, trade allies are the first, last and only Energy Trust representative a customer will see. Id. The success or failure of the Energy Trust lies heavily upon the small businesses which comprise the bulk of the trade ally network. SBUA has an interest in seeing Energy Trust’s success generally, and small businesses have a need for clarity, simplicity, and predictability in Energy Trust programs.

To these ends, SBUA appreciates the Commission staff’s report back, as required by Order 13-070, on the 2013 Energy Trust Performance Measures regarding the levelized cost metric for energy efficiency, funds allocated to non-solar projects, and funding allocated for state mandated solar and non-solar custom projects. SUBA supports going forward in 2014 by aligning the savings target with the levelized cost target at 15 percent from the Energy Trust and IRP goals. Furthermore, SUBA supports the idea of a 15 percent above IRP target goal for the Energy Trust. This should provide for flexibility in changing marketplace while always encouraging the Energy Trust to acquire as much cost-effective conservation as it can.

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<sup>1</sup> Oregon Labor Market Information System 2012  
<http://www.qualityinfo.org/olmisj/ArticleReader?itemid=00008504>

<sup>2</sup> Id.

<sup>3</sup> <http://www.oregon.gov/puc/docs/statbook2011.pdf> p. 9

<sup>4</sup> <http://www.oregon.gov/puc/docs/statbook2011.pdf> p. 19



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SBUA appreciates the Commission's and the parties' work regarding matters in this docket. Thank you for your time and consideration. Please address to me at the contact information below any questions regarding these comments and SBUA.

Sincerely,

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Cc: James Birkelund, SBUA  
UM 1158 service list