

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2276

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON,

Approval of Justice Funding Precertification

**PORTLAND GENERAL ELECTRIC
COMMENTS ON APPLICATIONS FOR
PRE-CERTIFICATION JUSTICE
FUNDING**

INTRODUCTION

Portland General Electric Company (PGE) submits these comments in response to the April 13th, 2023, application for pre-certification justice funding from Verde¹, and in response to the April 21st, 2023, amended applications for pre-certification justice funding from Rogue Climate², Community Energy Project (CEP)³, Coalition of Communities of Color (CCC)⁴, and the Oregon Just Transition Alliance (OJTA).⁵

PGE values the opportunity to understand the perspectives and interests of low-income and environmental justice communities. The funding made available for representation and advocacy under the Environmental Justice Communities Funding Agreement (Agreement) is one of the important ways to foster a greater understanding of perspectives and interests. We file these comments because the resources to support advocacy and representation are limited. As the Commission reviews the first requests for funding, we are guided by the goal to ensure that funding is retained and available to the organizations that can best represent low-income and environmental justice community interests of our customers.

PGE's comments recommend that the Commission:

¹ UM 2276, Verde's Application for Pre-Certification Justice Funding, April 11th 2023, available at: <https://edocs.puc.state.or.us/efdocs/HAQ/um2276haq112832.pdf>

² UM 2276, Rogue Climate's Amended Application for Pre-Certification Justice Funding, April 21st 2023, available at: <https://edocs.puc.state.or.us/efdocs/HAS/um2276has125159.pdf>

³ UM 2276, Community Energy Project's Amended Notice to Request HB 2475 Intervenor Funding Pre-Certification, April 21st 2023, available at: <https://edocs.puc.state.or.us/efdocs/HAS/um2276has135537.pdf>

⁴ UM 2276, Coalition of Communities of Color (CCC) request for HB 2475 Intervenor Funding Pre-Certification, April 21st 2023, available at: <https://edocs.puc.state.or.us/efdocs/HAQ/um2276haq154028.pdf>

⁵ UM 2276, Oregon Just Transition Alliance (OJTA) updated budget, as requested by PGE, April 21st 2023, available at: <https://apps.puc.state.or.us/edockets/docket.asp?DocketID=23621> (Excel spreadsheet saved in Agency Folder).

- consider dividing Verde’s request between PacifiCorp and PGE according to the proportion of customers in each utility’s service area that the organization represents;
- decline to approve Rogue Climates request for a pre-certification grant from PGE for UM 2273 or LC 80; and
- seek further information on how the scope of CEP’s activities changed so significantly between April 3rd and April 24th and clarify why the costs of CEP’s external counsel would be drawn entirely from the PGE fund.

I. VERDE

Verde requests a total of \$56,750 drawn equally from the PacifiCorp and PGE funds.⁶ PGE does not oppose or object to the eligibility of Verde for pre-certification funding, but is concerned with the request for equal allocation between PacifiCorp and PGE given the organization’s acknowledgment it represents communities “mostly in Pacific Power territory and a small corner in Portland General Electric territory”.⁷ Verde’s request projects participation in dockets that would affect both PacifiCorp and PGE: UM 2211 (Implementation of House Bill 2475), UM 2225 and AR 655 (Implementation of House Bill 2021), UM 1158 (Energy Trust Equity Metrics), PacifiCorp and PGE distribution system plans, and PacifiCorp and PGE Clean Fuels Plans/Programs.⁸ However, PGE’s recommends that the Commission consider an organization’s eligibility and the allocation of funds between utilities in the context of Order 23-137, which will result in permanent justice funding rules that include the following eligibility criterion and consideration (among others):

OAR 860-001-0840

Justice Funding Eligibility

(1)(c) The organization demonstrates that it is able to effectively represent or develop advocacy positions benefitting or informed by the Environmental Justice Community or low-income customers, in the service area of each Participating Public Utility for which funding is sought and demonstrates how it will identify the issues or advocacy positions that are important to those represented;

[...]

(2) In determining if an organization is eligible to receive a Justice Funding Grant, the Commission may also consider whether the organization has significant ties to the Environmental Justice Community or low-income customers in the service area of each Participating Public Utility for which the Justice Funding Grant is sought.⁹

⁶ UM 2276, Verde’s Application for Pre-Certification Justice Funding, April 11th 2023, p3, available at: <https://edocs.puc.state.or.us/efdocs/HAQ/um2276haq112832.pdf>

⁷ *Id.* at 1.

⁸ *Id.* at 4-6.

⁹ OPUC, Order 23-137, April 20th 2023, p9, available at: <https://apps.puc.state.or.us/orders/2023ords/23-137.pdf>

The rules link an organization’s justice funding eligibility to representation of and significant ties to customers in the service territory of the utility for which a grant is sought. PGE does not oppose the total amount requested, but recommends the Commission consider dividing Verde’s request between PacifiCorp and PGE according to the proportion of customers in each utility’s service area that the organization represents.

II. ROGUE CLIMATE

Rogue Climate’s April 3rd, 2023, request sought \$49,425 from PacifiCorp’s pre-certification fund.¹⁰ In response, PGE requested the Commission clarify that such funds should not be used for participation in proceedings that were solely the matter of another utility.¹¹ Rogue Climate’s amended application sought \$18,262.50 from both PacifiCorp and PGE for participation in UM 2273 (Implementation of HB 2021), and \$1,500 from PGE for participation in LC 80 (PGE 2023 Integrated Resource Plan and Clean Energy Plan).¹² As discussed in Section I, justice funding grant eligibility considers representation of and significant ties to customers in the service territory for which a grant is sought.¹³ Rogue Climate’s mission is to “empower Southern Oregon communities most impacted by climate change”.¹⁴ PGE does not have any service area in Southern Oregon.

Rogue Climate asserts that UM 2273 would “promote[] equitable access to clean energy for all Oregonians.”¹⁵ Rogue Climate’s eligibility for justice funding in UM 2273 is tied to its ability to “represent or develop advocacy positions benefitting or informed by the Environmental Justice Community or low-income customers, in the service area of each Participating Public Utility for which funding is sought and demonstrates how it will identify the issues or advocacy positions that are important to those represented.”¹⁶ Rogue Climate has not identified how it would represent or develop advocacy positions for customers in PGE’s service territory, nor how the organization might have “significant ties” to customers in PGE’s service area.¹⁷ Therefore, PGE recommends that the Commission decline to approve Rogue Climates request for a pre-certification grant from PGE in UM 2273.

¹⁰ UM 2276, Rogue Climate’s Application for Justice Funding Pre-certification Grant, April 3rd 2023, available at: <https://edocs.puc.state.or.us/efdocs/HAQ/um2276haq16931.pdf>

¹¹ UM 2276, PGE Comments on Applications for Pre-certification Justice Funding, April 17, 2023, p2, available at: <https://edocs.puc.state.or.us/efdocs/HAC/um2276hac16813.pdf>

¹² UM 2276, Rogue Climate’s Amended Application for Pre-Certification Justice Funding, April 21st 2023, p7, available at: <https://edocs.puc.state.or.us/efdocs/HAS/um2276has125159.pdf>

¹³ OPUC, Order 23-137, April 20th 2023, p9, available at: <https://apps.puc.state.or.us/orders/2023ords/23-137.pdf>

¹⁴ Rogue Climate, About us – Mission, accessed April 24th 2023, available at: <https://rogueclimate.org/about-us/mission-values/#>

¹⁵ UM 2276, Rogue Climate’s Amended Application for Pre-Certification Justice Funding, April 21st 2023, p4, available at: <https://edocs.puc.state.or.us/efdocs/HAS/um2276has125159.pdf>

¹⁶ OPUC, Order 23-137, April 20th 2023, p9, available at: <https://apps.puc.state.or.us/orders/2023ords/23-137.pdf>

¹⁷ *Id.*

Rogue Climate also asserts that LC 80 will “present issues of first impression that will affect statewide policy and will also be related to and affect PacifiCorp’s IRP/CEP docket LC 82 for which RC intends to participate on behalf of its core environmental justice communities.”¹⁸ Again, Rogue Climate has not identified how it would represent or develop advocacy positions for customers in PGE’s service territory, nor how the organization might have significant ties to customers in PGE’s service area. PGE recommends the Commission decline to approve Rogue Climate’s request for a pre-certification grant from PGE in LC 80.

III. COMMUNITY ENERGY PROJECT

CEP’s April 3, 2023, request sought a total of \$101,547 split equally between PGE, PacifiCorp, and NW Natural pre-certification funds. PGE had no comments or objections to CEP’s pre-certification request.¹⁹ CEP’s amended budget request assigned significantly more hours to PGE, as well as fully assigning \$19,800 for the costs of an external council.²⁰ PGE still does not oppose CEP’s request for pre-certification funds, but requests the Commission seek further information on how the scope of activities changed so significantly between the April 3rd and April 24th requests. PGE also recommends the Commission seek clarity as to why the costs of CEP’s external counsel would be drawn entirely from the PGE fund.

IV. COALITION OF COMMUNITIES OF COLOR

CCC’s April 3rd, 2023, request sought a total of \$65,500 in funding.²¹ PGE’s comments did not question CCC’s qualifications as an eligible recipient for pre-certification funding from PGE but recommended the Commission request clarification regarding the allocation of pre-certification funding between PGE, PacifiCorp and NW Natural.²² PGE is grateful for CCC’s April 21st, 2023, clarification that the organization is seeking a total of \$25,333 from PGE.²³

V. OREGON JUST TRANSITION ALLIANCE

OJTA’s April 3, 2023, request sought a total of \$100,000 with 25% funding from PGE’s pre-certification fund.²⁴ OJTA’s budget included \$40,000 for subgrants to member organizations. PGE recommended the Commission sought further information on the anticipated eligible

¹⁸ UM 2276, Rogue Climate’s Amended Application for Pre-Certification Justice Funding, April 21st 2023, p6, available at: <https://edocs.puc.state.or.us/efdocs/HAS/um2276has125159.pdf>

¹⁹ UM 2276, PGE Comments on Applications for Pre-certification Justice Funding, April 17, 2023, p1, available at: <https://edocs.puc.state.or.us/efdocs/HAC/um2276hac16813.pdf>

²⁰ UM 2276, Community Energy Project’s Amended Notice to Request HB 2475 Intervenor Funding Pre-Certification, April 21st 2023, p7, available at: <https://edocs.puc.state.or.us/efdocs/HAS/um2276has135537.pdf>

²¹ UM 2276, Coalition of Community of Color’s Notice of Intent to Request HB 2475 Intervenor Funding Pre-certification, April 3rd 2023, p2, available at: <https://edocs.puc.state.or.us/efdocs/HAQ/um2276haq155711.pdf>

²² UM 2276, PGE Comments on Applications for Pre-certification Justice Funding, April 17, 2023, p2, available at: <https://edocs.puc.state.or.us/efdocs/HAC/um2276hac16813.pdf>

²³ UM 2276, Coalition of Communities of Color (CCC) request for HB 2475 Intervenor Funding Pre-Certification, p6, April 21st 2023, available at: <https://edocs.puc.state.or.us/efdocs/HAQ/um2276haq154028.pdf>

²⁴ UM 2276, Notice to Request HB 2475 Intervenor Funding Pre-Certification from Oregon Just Transition Alliance, April 3rd, 2023, available at: <https://edocs.puc.state.or.us/efdocs/HAQ/um2276haq16427.pdf>

activities that would be funded by subgrants to OJTA member organizations before approving OJTA funding requests for such amounts.²⁵ OJTA responded with a more detailed budget clarifying that the subgrants to member organizations would be “for staff time on mentioned dockets”.²⁶ PGE appreciates that clarification.

CONCLUSION

Respectfully submitted this 27th day of April 2023.



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²⁵ UM 2276, PGE Comments on Applications for Pre-certification Justice Funding, April 17, 2023, p2, available at: <https://edocs.puc.state.or.us/efdocs/HAC/um2276hac16813.pdf>

²⁶ UM 2276, Oregon Just Transition Alliance (OJTA) updated budget, as requested by PGE, April 21st 2023, available at: <https://apps.puc.state.or.us/edockets/docket.asp?DocketID=23621> (Excel spreadsheet saved in Agency Folder).