



Oregon

Tina Kotek, Governor

Public Utility Commission

201 High St SE Suite 100

Salem, OR 97301-3398

Mailing Address: PO Box 1088

Salem, OR 97308-1088

503-373-7394

December 28, 2023



BY EMAIL

PacifiCorp

oregondockets@pacificorp.com

RE: Advice No. 23-020

At the public meeting on December 28, 2023, the Commission adopted Staff's recommendation in this matter docketed as ADV 1555. The Staff Report and a receipted copy of the sheets in your advice filing are attached.

Nolan Moser

Chief Administrative Law Judge

Public Utility Commission of Oregon

(503) 378-3098

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: December 28, 2023**

REGULAR _____ **CONSENT** X **EFFECTIVE DATE** January 2, 2024

DATE: December 18, 2023

TO: Public Utility Commission

FROM: Kaitlin Lynch

THROUGH: Caroline Moore **SIGNED**

SUBJECT: PACIFIC POWER:
(Docket No. ADV 1555/Advice No. 23-020)
Updates Schedule 91 – Low Income Bill Payment Assistance Fund

STAFF RECOMMENDATION:

Approve Pacific Power’s (PacifiCorp) Advice Filing No. 23-020 to update Schedule 91, Low Income Bill Payment Assistance Fund, with an effective date of January 2, 2024.

DISCUSSION:

Issue

Whether the Commission should approve PacifiCorp’s proposed revision to Schedule 91 that reflects the sunseting of a temporary increase in collections directed by House Bill (HB) 2739 (2021 regular session), with an effective date of January 2, 2024.¹

Applicable Law

Under ORS 757.205(1):

Every public utility shall file with the Public Utility Commission, within a time to be fixed by the commission, schedules, which shall be open to public inspection, showing all rates, tolls and charges which it has established and which are in force at the time for any service performed

¹ See ORS 757.698 Sec. 4. Available at https://www.oregonlegislature.gov/bills_laws/ors/ors757.html.

by it within the state, or for any service in connection therewith or performed by any public utility controlled or operated by it.

The Commission may approve tariff changes if they are deemed fair, just, and reasonable. ORS 757.210.

ORS 757.698(1)(c) states that no customer shall pay more than \$500 per month per customer site for low-income electric bill payment and crisis assistance. ORS 757.698 Sec. 4. Section 3 of this 2021 Act is repealed on January 2, 2024.

Tariff revisions may be made by filing revised sheets with the information required under the Commission's administrative rules, including OAR 860-022-0025.

OAR 860-022-0025(2) specifically requires that each energy utility changing existing tariffs or schedules must include in its filing a statement plainly indicating the increase, decrease, or other changes made with the filing, the number of customers affected by the proposed change and the resulting change in annual revenue; and the reasons or grounds relied upon in support of the proposed change.

Filings that propose any change in rates, tolls, charges, rules, or regulations must be filed with the Commission at least 30 days before the effective date of the change. ORS 757.220; OAR 860-022-0015.

Analysis

Background

On November 3, 2023, PacifiCorp filed a revision to Schedule 91, Low Income Bill Payment Assistance Fund, to reflect the sunset of a temporary increase in collections directed by HB 2739. HB 2739 temporarily increased the amount of funds collected for low-income electric bill payment and crisis assistance by \$10 million each year for two years, beginning January 1, 2022. This brought the total amount collected to \$30 million per year. Historically, PacifiCorp and Portland General Electric (PGE) have worked together to establish each company's share of the total requirement. Based on the size of each company's customer base, PacifiCorp collects 40 percent, while PGE collects 60 percent. The increase in collections resulted in PacifiCorp collecting approximately \$12 million and PGE collecting approximately \$18 million. As of January 2, 2024, the statewide annual collection requirement will revert to a minimum of \$20 million,² and PacifiCorp's forty percent share will revert to at least \$8 million. The revised Schedule 91 details the updated rates that will be reflected on customers' bills.

² ORS 757.698 (Notes Sec. 4).

In accordance with ORS 757.698(1)(c), customers may not be charged more than \$500 per month per site for low-income bill payment assistance.³ This effectively limits collections from non-residential customers and necessitates separate rates be applied to residential and non-residential schedules for low-income bill payment assistance. Schedule 91 is structured with a per kWh price for non-residential customers and a flat fee for residential customers.

Staff Analysis

All non-residential customers will pay 0.069¢ per kWh for the first 724,638 kWh. Multiplying the rate of 0.069¢ by 724,638 kWh yields the \$500 per month per site limit. The residential flat fee is based on average residential monthly usage of 1,000 kWh. Multiplying the average residential usage of 1000 kWh by 0.069¢ results in the residential flat fee of \$0.69. PacifiCorp estimates that approximately 652,000 customers will be impacted by this 0.2 percent decrease in 2024. A typical residential customer will see a monthly bill decrease of \$0.35.

Staff reviewed workpapers from other dockets, including Docket No. ADV 663/Advice No. 17-007 and Docket No. UE 420, and was able to confirm that the updated rates will result in collections of at least \$8 million. Staff also reviewed PGE's filing, Docket No. ADV 1552/Advice No. 23-23, and can confirm that PGE will collect the remaining \$12 million, bringing the total amount collected past the \$20 million minimum required by ORS 727.698. All funds collected under this schedule will be remitted to Oregon Housing and Community Services.

Conclusion

After reviewing ORS 757.698 and PacifiCorp's proposed revisions to Schedule 91, Staff concludes that the proposed tariff complies with the sunseting of the temporary increase in collections as outlined in ORS 757.698 and will continue to review the proper recovery of these costs in future filings. Staff therefore recommends that the Commission allow the proposed rates to take effect.

PROPOSED COMMISSION MOTION:

Approve PacifiCorp's proposed revisions to Schedule 91, Low Income Bill Payment Assistance Fund, effective for service rendered on or after January 2, 2024.

PacifiCorp ADV 1555

³ Sites are defined in Rule B of PGE's tariff. Available at: https://assets.ctfassets.net/416ywc1laqmd/3o9FdGSkloIraCHhLxPzwA/48cd45b5373a8b2a2109bfa413e81831/Rule_B.pdf.

LOW INCOME BILL PAYMENT ASSISTANCE FUND
Purpose

The purpose of this Schedule is to collect funds for electric low-income bill payment assistance as specified in Oregon Laws 2021, Ch. 536, §2.

Applicable

To all bills for electric service calculated under all tariffs and contracts.

Adjustment Rates

The applicable Adjustment Rates are listed below. Retail electricity Consumers shall not be required to pay more than \$500 per month per site for low-income electric bill payment assistance.

Schedule	Adjustment Rate	
Residential Rate Schedules (4, 5, 6)	\$0.69 per month	(R)
Nonresidential Rate Schedules	0.069 cents per kWh for the first 724,638 kWh	(R)(I)

Definition of Site (Order No. 01-073 entered January 3, 2001)

"Site" means:

- (a) Buildings and related structures that are interconnected by facilities owned by a single retail electricity consumer and that are served through a single electric meter; or
- (b) A single contiguous area of land containing buildings or other structures that are separated by not more than 1,000 feet, such that:
 - i. Each building or structure included in the site is no more than 1,000 feet from at least one other building or structure in the site;
 - ii. Buildings and structures in the site, and land containing and connecting buildings and structures in the site, are owned by a single retail electricity consumer who is billed for electricity use at the buildings and structures; and
 - iii. Land shall be considered to be contiguous even if there is an intervening public or railroad right of way, provided that rights of way land, on which municipal infrastructure facilities exist (such as street lighting, sewerage transmission, and roadway controls), shall not be considered contiguous.

(continued)