

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1631

In the Matter of

PACIFICORP, dba PACIFIC POWER,

Application of waiver of OAR 860-021-0405(9) & 11, Notice of Pending Disconnection of Residential Electric or Gas Utility Service

ORDER

DISPOSITION: TIME LINE SPECIFIED IN ORDER NO. 17-061 MODIFIED

On February 19, 2019, PacifiCorp, dba Pacific Power, filed a motion to extend the waiver of provisions contained in OAR 860-021-0405(9) and (11) as granted in Order No. 17-061. The provisions require utility employees performing disconnection of service to make personal contact on the date of disconnection and be available to accept payment while onsite for disconnection of service.

Based on information regarding the growing threat of physical incidents involving utility employees visiting a customer's residence, the Commission first granted PacifiCorp's petition for waiver in Order No. 14-049, with a sunset date of March 1, 2017. In Order No. 17-061, the Commission extended that sunset date until March 1, 2019, and expanded the timeframe of the evening calls to customers facing disconnection.

PacifiCorp requests an extension of the existing waiver of these requirements. Because the Commission based its earlier two waivers on the anticipation that the agency would soon complete a review of Division 21 rules, PacifiCorp requests that the waiver of rules be extended until that rulemaking is completed. Given the upcoming March 1, 2019 expiration of the waiver granted in Order No. 17-061, PacifiCorp requests expedited treatment of this motion. PacifiCorp states that it contacted the Commission Staff, which represented that it was not taking a position on the motion.

The Chief Administrative Law Judge has been delegated the authority to modify time lines specified in a Commission order.¹ Exercising that authority, I find good cause to

¹ See *In the Matter of Public Utility Commission of Oregon, The Delegation of Certain Duties and Powers of the Public Utility Commission of Oregon*, Docket No. CD 24, Order No. 19-032, Appendix E (Jan 31, 2019).

extend the waiver deadline of March 1, 2019 set forth in Order No. 17-061 for another period of two years—until March 1, 2021.

First, I find good cause to modify the time line. The original reasons supporting the waiver related to utility employee safety remain a concern, and threats of potential danger have recently increased. In addition, granting extension of the waiver will not harm customers as they will continue to receive multiple notices before disconnection.² Continuation of the waiver will allow PacifiCorp the ability to protect its employees without sacrificing customer service and provide more time to reach customers prior to disconnection of service.

Second, I decline PacifiCorp's request to extend the waiver until a review of Division 21 rules is complete. I acknowledge prior Commission reliance on a completion of that rule review in granting the waivers, but am reluctant to fully grant this motion on an expedited basis without a more thorough review.

ORDER

IT IS ORDERED that the time line in Order No. 17-061 is modified to extend the waiver of certain provisions in OAR 860-021-0405(9) and (11) until March 1, 2021.

Made, entered, and effective on Feb 27, 2019.



A handwritten signature in blue ink, appearing to read "Nolan Moser".

Nolan Moser
Chief Administrative Law Judge

² PacifiCorp details these notices as follows:

- (1) A monthly bill with amount due and the due date, as required by OAR 860-021- 23 0120 & OAR 860-021-0125;
- (2) A past due notice for any arrears from prior bills with bold letter indicating the 2 account past due and the due date, as required by OAR 860-021-0405;
- (3) Optional texts or emails for past due notices and final notices;
- (4) Mailed final notices in red font and clearly stating the past due amount and the 5 date payment must be received to avoid disconnection of service, as required by OAR 860-021-0405; and
- (5) After receiving the final notice, all customers receive up to six outbound calls 8 over the span of three separate days with two attempts per day.