

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2024

In the Matter of

ALLIANCE OF WESTERN ENERGY
CONSUMERS,

Petition for Investigation into Long-Term
Direct Access Programs.

ORDER

**DISPOSITION: MOTION TO DESIGNATE PROCEEDING AS ELIGIBLE FOR
ISSUE FUNDS GRANTED**

On August 23, 2019, the Oregon Citizens' Utility Board (CUB) filed a motion to designate this proceeding as eligible for an Issue Fund Grant. No party responded to the motion.

The Fourth Amended and Restated Intervenor Funding Agreement (IFA), approved by the Commission in Order No. 18-017, defines "Eligible Proceedings for Issue Funds" as a proceeding before the Commission to review:

- 1) A general rate case request,
- 2) The proposed acquisition or merger of one of the Participating Public Utilities,
- 3) An Integrated Resource Plan,
- 4) An annual power cost request (such as PGE's Annual Update Tariff or PacifiCorp's TAM) or a purchase gas adjustment request, or
- 5) Any other proceeding so designated by the Commission that directly affects one or more of the participating Utilities and is anticipated to have a substantial impact on utility rates or service, a significant impact on utility customers or the operation of the utility, is likely to result in a significant change in regulatory policy, or raises novel questions of law.

PacifiCorp, dba Pacific Power, and Portland General Electric Company (PGE) are participating utilities and their Long-Term Direct Access (LTDA) programs are the subject of the investigation. In its motion, CUB states that this proceeding has the potential to (a) result in novel questions of fact or law (such as what constitutes “unwarranted” cost shifting under the direct access law), and (b) significantly impact utility rates or service and (c) result in a significant change in policy to the Commission’s regulatory approach to LTDA programs.

We agree that this proceeding qualifies as an eligible proceeding under the last criterion in the IFA because this docket may result in a change in regulatory policy, which may have a significant impact on utility rates or service. Accordingly, the motion of CUB should be granted, and this docket should be certified as an eligible proceeding.

ORDER

IT IS ORDERED that this proceeding is designated as eligible for Issue Funds.

Made, entered, and effective Sep 18, 2019 .



Megan W. Decker
Chair



Stephen M. Bloom
Commissioner



Letha Tawney
Commissioner



A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.