

ORDER NO. 20-154

ENTERED May 07 2020

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1631

In the Matter of

NORTHWEST NATURAL GAS
COMPANY, dba NW NATURAL,

Petition for Partial Waiver of OAR 860-021-
0130(2), Meter Test.

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on May 5, 2020, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter. The Staff Report with the recommendation is attached as Appendix A.



BY THE COMMISSION:

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

Nolan Moser
Chief Administrative Law Judge

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 Circuit Court for Marion County in compliance with ORS 183.484.

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: May 5, 2020**

REGULAR CONSENT EFFECTIVE DATE May 6, 2020

DATE: April 21, 2020

TO: Public Utility Commission

FROM: Kathy Zarate

THROUGH: Bryan Conway, Michael Dougherty, John Crider, and Matthew Muldoon **SIGNED**

SUBJECT: NORTHWEST NATURAL:
(Docket No. UM 1631)
NW Natural's petition for a limited Waiver of OAR 860-021-0130(2).

STAFF RECOMMENDATION:

Staff recommends that the Public Utility Commission of Oregon (Commission) approve Northwest Natural's (NW Natural or Company) request for a partial waiver of OAR 860-021-0130(2) for a period of 60 days, effective on and after May 6, 2020.

DISCUSSION:

Issue

Whether the Commission should approve NW Natural's request for a partial waiver of OAR 860-860-021-0130(2), which concerns a customer's ability to be present at a meter test.

Applicable Rule or Law

Under OAR 860-021-0005, the Commission may waiver any of the Division 21 rules upon a showing of good cause.

OAR 860-021-0130(2) relates to meter tests, specifying, "A customer and/or a designated representative shall have the right to be present at any meter test. The test shall be conducted at a mutually acceptable time during regular business hours."

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Analysis

Background

On April 7, 2020, NW Natural filed this application requesting a partial waiver of OAR 860-021-0130(2) due to the COVID-19 public health emergency. NW Natural requests a waiver of the first sentence of this rule effective immediately, for an initial period of 60 days. OAR 860-021-0130(2) relates to meter tests, specifying in part that, "A customer and/or a designated representative shall have the right to be present at any meter test."

The Company seeks this flexibility in order to protect customers and employees from potential exposure to COVID-19, noting that Executive Order 20-12 requires social distancing measures. The Company requests this waiver be in effect for an initial period of 60 days. The Company will monitor the situation and continually assess the need to seek any continuance of the waiver. The Company represents that it will continue to pull and test meters as needed, and will send the customer the results of any meter tests, including those that the customer would have otherwise been permitted to witness.

Conclusion

Staff reviewed the Company's filing and finds there is good cause to support the waiver request due to the current need for social distancing, and the limited value to the customer in witnessing a meter test from a distance. Given the uncertainties and flux with the public health situation, as a result of the COVID-19 pandemic, immediate action for a period of 60 days is appropriate.

PROPOSED COMMISSION MOTION:

Approve NW Natural's partial waiver request of OAR 860-021-0130(2) for a period of 60 days, effective on and after May 6, 2020.