

ORDER NO. 20-170

ENTERED May 22 2020

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1631

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,

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

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on May 19, 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:



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 19, 2020**

REGULAR CONSENT EFFECTIVE DATE May 20, 2020

DATE: May 5, 2020

TO: Public Utility Commission

FROM: Mitchell Moore

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

SUBJECT: PORTLAND GENERAL ELECTRIC:
(Docket No. UM 1631)
Requests limited waiver of rule related to meter testing.

STAFF RECOMMENDATION:

Staff recommends that the Public Utility Commission of Oregon (Commission) approve Portland General Electric's (PGE or Company) request for a partial waiver of OAR 860-021-0130(2) for a period of 60 days, effective on and after May 20, 2020.

DISCUSSION:

Issue

Whether the Commission should approve PGE'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 waive 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 1, 2020, PGE filed this application requesting a partial waiver of OAR 860-021-0130(2) due to the COVID-19 public health emergency. The Company 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 No. 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 PGE's partial waiver request of OAR 860-021-0130(2) for a period of 60 days, effective on and after May 20, 2020.