

ORDER NO. 20-183

ENTERED Jun 03 2020

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1020

In the Matter of

PORTLAND GENERAL ELECTRIC  
COMPANY,

Requests for an Extension of Contracts for  
Retail Marketing Services for Residential and  
Small Commercial Voluntary Renewable  
Energy Program and Acquisition of  
Renewable Energy Certificates to Offset  
Participant Usage.

ORDER

**DISPOSITION: STAFF'S RECOMMENDATION ADOPTED**

At its public meeting on June 2, 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:



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**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.

ITEM NO. CA3

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: June 2, 2020**

**REGULAR**  **CONSENT**  **EFFECTIVE DATE** June 2, 2020

**DATE:** May 26, 2020

**TO:** Public Utility Commission

**FROM:** Jill Goatcher

**THROUGH:** Bryan Conway, Michael Dougherty, JP Batmale, and Sarah Hall **SIGNED**

**SUBJECT:** PORTLAND GENERAL ELECTRIC:  
(Docket No. UM 1020)  
Requests for an Extension of Contracts for Retail Marketing Services for Residential and Small Commercial Voluntary Renewable Energy Program and Acquisition of Renewable Energy Certificates to Offset Participant Usage.

**STAFF RECOMMENDATION:**

Approve Portland General Electric's (PGE) Request for an Extension of Contracts for Retail Marketing Services for Residential and Small Commercial Voluntary Renewable Energy Program and Acquisition of Renewable Energy Certificates to Offset Participant Usage for twelve months, through December 31, 2021.

**DISCUSSION:**

Issue

Whether the Public Utility Commission of Oregon (Commission) should approve PGE's Request for an Extension of Contracts for the Retail Marketing Services for Residential and Small Commercial Voluntary Renewable Energy Program and Acquisition of Renewable Energy Certificates to Offset Participant Usage through December 31, 2021.

Applicable Rule or Law

Electric utilities are required under ORS 757.603 to offer a portfolio of rate options, including an option that offers significant new renewable energy resources. The

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Commission regulates portfolio options so that the rates reflect the costs and risks of serving each option.<sup>1</sup>

The Commission, in OAR 860-038-0220, provides a process for the development of portfolio options and rates, including review of the recommendations of the Portfolio Options Committee (POC). The POC historically has made its recommendations annually on July 1, for options effective January 1 of the following year.

Per its Order No. 16-469, the Commission approved the most recent Charter for the POC. This Charter authorized the POC to include recommendations on marketer and provider contracts for approval in its annual recommendations to the Commission.<sup>2</sup>

In Commission Order No. 20-063, the Commission put the meetings of the POC on hold pending an investigation of its continued scope.<sup>3</sup>

OAR 860-038-0220(6) requires that the utility offering rate options “acquire the renewable supply resources necessary to provide the renewable energy resources product through a Commission-approved bidding process or other Commission-approved means.”

### Analysis

PGE submitted a filing in Docket No. UM 1020, the Portfolio Options Committee (POC), requesting approval to extend two contracts for an additional twelve months, through December 31, 2021. These contracts are for retail marketing services for PGE’s Residential and Small Commercial Voluntary Renewable Energy Program, as well as for the acquisition of renewable energy certificates (RECs) to serve the program.

PGE brought its contract extension requests to the POC at its most recent meeting on February 26, 2020. The POC reviewed the proposal and unanimously recommended it to the Commission for approval.<sup>4</sup> In a typical year, support for a proposal to extend the term of a marketing or provider contract is a topic the POC could include in its annual July 1 report with program recommendations for the Commission. However, the meetings of the POC are currently suspended. PGE has therefore directly requested

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<sup>1</sup> ORS 757.603(3).

<sup>2</sup> Docket UM 1020, Portfolio Options, Commission Order No. 16-469, Appendix A at 17, December 7, 2016.

<sup>3</sup> Docket UM 1020, Portfolio Options, Commission Order No. 20-063, Appendix A at 7, March 3, 2020.

<sup>4</sup> Portfolio Options Committee, Agenda, February 26, 2020 Meeting, available at <https://www.oregon.gov/puc/utilities/Documents/POC-Agenda-02262020.pdf>. Staff notes that minutes were not taken during this meeting.

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that the Commission approve contract extensions through December 31, 2021. PGE filed a letter in Docket No. UM 1020 to this effect.

Staff supports PGE's request for the following reasons. First, the POC voted unanimously to approve the contract extensions at its last meeting held on February 26, 2020. Second, the current contracts result from an underlying competitive process. Third, given the pending investigation of the scope of the POC, Staff supports maintaining the programs in their current iteration. Finally, as PGE notes in its request, it suspended marketing operations following the Oregon Governor's Executive Orders addressing the COVID-19 pandemic. Marketing activity in 2020 may be significantly limited. To the extent Commission action is required under OAR 860-038-0220(6) to authorize extension of the contract for acquisition of RECs for program participation through 2021, Staff supports the 12 month extension as an appropriate short-term alternative to the RFP process while the process for developing portfolio options is under investigation.

#### Conclusion

Staff recommends that the Commission approve the extension of these contracts through December 31, 2021, based on the POC's unanimous approval of this extension and the need to continue the status quo for the short-term while future processes for development and review of portfolio options are under investigation.

#### **PROPOSED COMMISSION MOTION:**

Approve PGE's Request for an Extension of Contracts for Retail Marketing Services for Residential and Small Commercial Voluntary Renewable Energy Program and Acquisition of Renewable Energy Certificates to Offset Participant Usage for twelve months through December 31, 2021.

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