

ORDER NO. 20-210

ENTERED Jul 06 2020

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1631

In the Matter of

NORTHWEST NATURAL GAS  
COMPANY, dba NW NATURAL,

Request to Extend Partial Waiver of OAR 860-  
021-0130(2), Meter Testing.

ORDER

**DISPOSITION: STAFF'S RECOMMENDATION ADOPTED**

At its public meeting on June 30, 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.

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: June 30, 2020**

REGULAR  CONSENT  EFFECTIVE DATE July 6, 2020

**DATE:** June 23, 2020

**TO:** Public Utility Commission

**FROM:** Mitchell Moore

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

**SUBJECT:** NORTHWEST NATURAL:  
(Docket No. UM 1631)  
Requests extension of limited waiver of rule related to meter testing.

**STAFF RECOMMENDATION:**

Staff recommends that the Public Utility Commission of Oregon (Commission) approve Northwest Natural's (NW Natural, NWN, or Company) request for a partial waiver of OAR 860-021-0130(2) for an additional period of six months, beginning July 6, 2020.

**DISCUSSION:**

Issue

Whether the Commission should extend NW Natural's 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, upon request or its own motion.

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 an application requesting a partial waiver of OAR 860-021-0130(2) due to the COVID-19 public health emergency. NW Natural requested a waiver of the first sentence of this rule relating to a customer's right to be present at any meter test. The Commission approved the waiver request at its public meeting on May 6, 2020. See Docket No. UM 1631, Order No. 20-154.

The Company sought this flexibility in order to be responsive to the changing economic and social conditions facing customers in the wake of the COVID-19 pandemic. The Company requested the waiver be in effect for an initial period of 60 days, with an intent to monitor the situation and potentially request a continuance.

Staff observes that the current waiver is set to expire on July 5, before the next available public meeting. Because the COVID-19 virus remains a significant public health issue, Staff recommends the Commission extend the waiver on its own motion for a period of six months. A limited waiver of the rule does not compel the Company to utilize the waiver, but it does provide the option if it deems it necessary.

### Conclusion

Staff finds there is good cause to continue to support NWN's limited waiver of the rule related to meter testing due to the continued uncertainties and flux with the public health situation, inclusive of social distancing, as a result of the Covid-19 pandemic.

### **PROPOSED COMMISSION MOTION:**

Approve an extension of NW Natural's partial waiver of OAR 860-021-0130(2) for a period of six months, effective on and after July 6, 2020.

UM 1631 NWN Waiver re: Meter Testing