

ORDER NO. 21-028

ENTERED Jan 28 2021

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1631

In the Matter of

PORTLAND GENERAL ELECTRIC  
COMPANY,

Petition to Extend Partial Waiver of OAR 860-  
021-0130(2) Meter Test.

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on January 26, 2021, 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. CA2

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: January 26, 2021**

REGULAR  CONSENT  EFFECTIVE DATE Upon Approval

**DATE:** January 14, 2021

**TO:** Public Utility Commission

**FROM:** Curtis Dlouhy

**THROUGH:** Bryan Conway, John Crider, and Matt Muldoon **SIGNED**

**SUBJECT:** PORTLAND GENERAL ELECTRIC:  
(Docket No. UM 1631)  
Petition to Extend Partial Waiver of OAR 860-021-0130(2) Meter Test.

**STAFF RECOMMENDATION:**

Approve Portland General Electric's (PGE or Company) request to extend the partial waiver of OAR 860-021-0130(2) for an additional six months in response to the continuing COVID-19 public health emergency.

**DISCUSSION:**

Issues

Whether the Commission should approve Portland General Electric's request for a partial waiver of OAR 860-021-0130(2) for an additional six months.

Applicable Rules

OAR 860-021-0130(2) states that a customer and/or a designated representative shall have the right to be present at any meter test and that the test shall be conducted at a mutually acceptable time during regular business hours.

Under OAR 860-021-0005, the Commission may waive any of Division 21 rules for good cause shown upon request or for good cause shown.

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### Analysis

#### *Background*

On April 1, 2020, PGE filed an application requesting a partial waiver of OAR 860-021-0130(2) due to the COVID-19 public health emergency. PGE requested a waiver of the first sentence of this rule relating to a customer's right to be present at any meter test for a period of 60 days beginning on May 20, 2020. The Commission approved the waiver request at its public meeting on May 19, 2020.<sup>1</sup> On July 15, 2020, the Commission extended PGE's temporary partial waiver of OAR 860-021-0130(2) for a period of 6 months effective July 15, 2020, pursuant to Order No. 20-225. On January 11, 2021, PGE filed a request for another six month extension.

Staff observes that the current waiver is set to expire on January 15, 2021, before the next available public meeting. Since the COVID-19 pandemic is still causing massive disruptions and vaccine rollouts have been slower than anticipated, Staff recommends the Commission extend the waiver. 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 PGE's limited waiver of the rule related to meter testing due to the continued uncertainties and flux with regards to the public health situation, inclusive of social distancing, as a result of the COVID-19 pandemic.

### **PROPOSED COMMISSION MOTION:**

Approve Portland General Electric's request to extend the partial waiver of OAR 860-021-0130(2) for an additional six months in response to the continuing COVID-19 public health emergency.

UM 1631 PGE Waiver of Meter Testing

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<sup>1</sup> See Docket No. UM 1631, Order No. 20-170.