

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 2207 and AR 638

In the Matters of

PACIFICORP, dba PACIFIC POWER,

Wildfire Protection Plan (UM 2207),

And

Rulemaking for Risk-based Wildfire  
Protection Plans and Planned Activities  
Consistent with Executive Order 20-04  
(AR 638).

ORDER

**DISPOSITION: MOTION TO DESIGNATE PROCEEDING AS ELIGIBLE FOR  
HB 2475 FUNDS GRANTED, PROPOSED BUDGET FOR HB 2475  
GRANT APPROVED**

On April 27, 2022, Rogue Climate filed an amended notice of participation and request for House Bill (HB) 2475 funding, and a proposed budget in dockets UM 2207 and AR 638. No party responded to the filing. Rogue Climate's proposed budget shows eligible expenses of \$4,050; and it seeks an HB 2475 Funding Grant of \$4,050. I grant the requests of Rogue Climate, and its proposed budget is approved.

The Commission Approved Form of Interim Funding Agreement in Order No. 22-043 defines "Eligible Dockets" as a proceeding before the Commission to review:

1. Non-complaint contested cases, rulemakings, and non-contested dockets that affect the applicable utility and its low-income residential customers and environmental justice communities,
2. Named, non-docketed Commission led processes addressing issues that affect the applicable utility and its low-income residential customers and environmental justice communities, or
3. An Integrated Resource Plan.

PacifiCorp is directly affected by docket UM 2207 and is a participating utility. This docket involves an investigation proceeding to consider PacifiCorp's compliance with the Wildfire Mitigation Plan Rule (OAR 860-300-0020). The investigation into PacifiCorp's compliance coincides with docket AR 638, an ongoing rulemaking regarding PacifiCorp's and other utilities Wildfire Protection Plan, specifically Public Safety Power Shutoff (PSPS) rules and permanent rules related to wildfire mitigation requirements. Rogue Climate claims this proceeding will likely have a substantial impact of PacifiCorp's customers because rules regarding PSPS, wildfire mitigation planning, and PacifiCorp's Wildfire Mitigation Plan will play a direct role in securing public safety, reducing risks to customers, and promoting system reliance during wildfires of increased frequency and severity. Rogue Climate states that wildfires impact Southern Oregon and other rural communities. Therefore, the activities investigated and regulated throughout the proceeding will directly impact PacifiCorp's low-income and rural residential customers, as well as other environmental justice communities Rogue Climate represents. Rogue Climate represents Southern Oregon and South Coast communities, including low-income, rural, youth, and communities of color, many of which may be affected by the rulemaking. Rogue Climate highlights PacifiCorp's statement in docket UM 2207 that "[R]ecommendations from Rogue Climate and OSSIA highlight the benefit of PacifiCorp's planned community engagement and continued collaboration with stakeholders."

Rogue Climate asserts that it is eligible for funding because it is a pre-certified eligible organization pursuant to Commission Order No. 22-043. Rogue Climate argues that it serves the Southern Oregon and South Coast communities mostly impacted by climate change, including low-income, rural, youth, and communities of color, by organizing for clean energy, sustainable jobs, and a healthy environment, through education and campaigns for beneficial policies aimed at avoiding harm caused by environmental and health hazards. It is part of Rogue Climate's mission to provide representation in public proceedings for environmental justice communities. Rogue Climate represents communities traditionally under-represented, including rural communities, in public processes like this one.

I agree that Rogue Climate qualifies as an eligible organization under Order No. 22-043. I find that docket UM 2207 qualifies as an eligible proceedings because the proceeding is anticipated to have a substantial impact on PacifiCorp's low-income residential customers and environmental justice communities. Docket AR 638 will address changes in rules which directly impacted low-income residential customers and environmental justice communities represented by Rogue Climate. Accordingly, the motion should be granted, and these dockets certified as an eligible proceedings.

The Interim Agreements for HB 2475 Intervenor Funding, approved by the Commission in Order No. 22-043, provide that pre-certified intervenors must submit a proposed HB 2475 Grant Funds budget to the Commission that contains, at a minimum, the following information:

1. A statement of work to be performed by the Recipient for which the Recipient is seeking funding;
2. A description of the areas to be investigated and addressed by Recipient;
3. A budget showing estimated attorney fees, which may include the cost for appropriate support staff and operational support; and
4. A budget showing estimated consultant fees and expert witness fees, which may include the cost for appropriate support staff and operational support.

Once a proposed budget is received, the Commission decides whether HB 2475 Grant Funds are available for use based on factors identified in the Interim Agreements for HB 2475 Intervenor Funding. The Commission has the authority to accept, deny, or partially deny the request, and may place reasonable conditions on the grant, and may delegate this responsibility to the Chief Administrative Law Judge, consistent with Order No. 21-213.

Rogue Climate's proposed budget includes the requisite information.

In light of the issues being addressed, the complexity of the issues and the significant policy decisions to be made, Rogue Climate's proposed budget is reasonable and should be approved.

### **ORDER**

IT IS ORDERED that:

1. This proceeding is designated as a proceeding eligible for HB 2475 Funds.
2. Rogue Climate is certified to receive funds in this docket.
3. The Rogue Climate's proposed budget for an HB 2475 Funding Grant is approved.

4. An HB 2475 Grant Funds is approved up to \$4,050 for activity in dockets UM 2207 and AR 638.

Made, entered, and effective May 18, 2022.



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

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**Nolan Moser**  
Chief Administrative Law Judge  
Administrative Hearings Division