

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 652

In the Matter of

Rulemaking Regarding Intervenor Funding
Consistent with HB 2475 (AR 652).

ORDER

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

On April 13, 2022, Rogue Climate filed a notice of participation and request for House Bill (HB) 2475 funding, and a proposed budget in docket AR 652. No response to the filing was made. Rogue Climate's proposed budget shows eligible expenses of \$22,875, and it seeks an HB 2475 Funding Grant of \$22,875. 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.

Rogue Climate states this proceeding will directly impact the interests of Portland General Electric Company; PacifiCorp, dba Pacific Power; Idaho Power Company; Northwest Natural Gas Company (NW Natural); Avista Corporation, dba Avista Utilities; and Cascade Natural Gas Corporation in the funding and administration of intervenor funding agreements pursuant to HB 2475. Rogue Climate claims this proceeding will impact those utilities' customers generally because the utilities can recover contributions

to the fund through rates. Rogue Climate also claims this proceeding will enable those utilities' low-income residential customers and environmental justice communities to participate in eligible proceedings as supported by HB 2475 Fund grants. Therefore, the intervenor funding process investigated and regulated throughout the proceeding will directly impact low-income and rural residential customers, as well as other environmental justice communities Rogue Climate represents.¹

Rogue Climate asserts that it is eligible for funding because it is a pre-certified eligible organization pursuant to Order No. 22-043. 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.²

I agree that Rogue Climate qualifies as an eligible organization under Order No. 22-043. I find that docket AR 652 qualifies as an eligible proceeding because the proceeding is intended to have a substantial impact on low-income residential customers and environmental justice communities. Docket AR 652 will address changes in rules which directly impact low-income residential customers and environmental justice communities represented by Rogue Climate. Accordingly, the motion should be granted, and this docket certified as an eligible proceeding.

The Interim Agreements for HB 2475 Intervenor Funding, approved by the Commission in Order No. 22-043, provides 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;

¹ Rogue Climate represents 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. See *In the Matter of PUBLIC UTILITY COMMISSION OF OREGON, Implementation of House Bill 2475*, Docket No. UM 2211, Order No. 22-043, Appendix A at 8-9 (Feb 10, 2022).

² See *In the Matter of Rulemaking for Risk-based Wildfire Protection Plans and Planned Activities Consistent with Executive Order No. 20-04*, Docket No. AR 638, and *In the Matter of PACIFICORP, dba PACIFIC POWER, Wildfire Protection Plan*, Order No. 22-166 at 2 (May 18, 2022), finding that Rogue Climate qualifies as an eligible organization under Order No. 22-043.

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 and reflects the current schedule adopted in these dockets.

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 pre-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 \$22,875 for activity in docket AR 652.

Made, entered, and effective Jun 17, 2022



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

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 Court of Appeals in compliance with ORS 183.480 through 183.484.