

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UG 435

In the Matters of

NORTHWEST NATURAL GAS
COMPANY, dba NW NATURAL,

Request for a General Rate Revision
(UG 435), and

Advice 20-19, Schedule 198 Renewable
Natural Gas Recovery Mechanism
(ADV 1215) (UG 411).

ORDER

DISPOSITION: REVISED BUDGET APPROVED

On February 1, 2022, the Small Business Utility Advocates (SBUA) filed a petition for case certification. SBUA's petition for designation is filed under OAR 860-001-0120(4) and the Fourth Amended and Restated Intervenor Funding Agreement (IFA).

On May 13, 2022, the Commission issued Order No. 22-161, which granted SBUA's request for case certification, but denied SBUA's proposed budget. In discussing that budget and SBUA's financial statements, we noted that its budget for activity in dockets UG 435 and UG 411 is \$39,300, with SBUA purporting to fund 20 percent of these expenditures at \$7,860. After review of SBUA's financial data, we found that in total, on an annual basis for all dockets and requests, SBUA could only justify a 20 percent match that would provide for a total budget of \$11,250, well below SBUA's proposed budget of \$39,300 in this case alone.

On August 24, 2022, SBUA filed an Amended Proposed Budget and a request for the Commission to amend its determination made in Order No. 22-161. SBUA's Amended Proposed Budget identified expenses of \$24,800, indicating that SBUA would fund \$4,960 of that amount.

Following SBUA's filing of an Amended Proposed Budget, the Administrative Hearings Division (AHD) requested financial information that would justify such a change. Once provided with information, AHD submitted several inquiries to SBUA regarding that submitted information and held informational sessions with SBUA's past and new leadership. Finally, on November 15, 2022, SBUA communicated to AHD specifically

with regard to this docket, stating that it possessed the independent unrestricted funds necessary to pay its expert in this case, Danny Kermode, the 20 percent match required under the IFA. SBUA also noted that these payments would be made in one week. AHD contacted SBUA in December to confirm amounts paid under the matching requirement. SBUA confirmed that payments were made on December 12, 2022, consistent with its Amended Proposed Budget in this case.

Given that SBUA has demonstrably met the 20 percent matching requirement under the IFA, we find good cause to amend our previous determination in this case and approve SBUA's Amended Proposed Budget filed on August 24, 2022. Following receipt of utility funds consistent with this determination, we require SBUA to provide the Administrative Hearings Division with documentation that payments were made consistent with SBUA's revised budget. We set this requirement to ensure that SBUA acts according to its commitments, given past of challenges associated with SBUA's requests for case certification and submitted financial information.

ORDER

IT IS ORDERED that:

1. The Small Business Utility Advocates' Amended Proposed Budget for Issue Fund Grants is approved.
2. The Small Business Utility Advocates must provide the Administrative Hearings Division with documentation of payments made consistent with the Amended Proposed Budget.

Made, entered, and effective Dec 30 2022.



Megan W. Decker
Chair



Letha Tawney
Commissioner



Mark R. Thompson
Commissioner



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.