ORDER NO. 26-181

ENTERED May 27 2026

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 2211

In the Matter of PUBLIC UTILITY COMMISSION OF OREGON, Implementation of House Bill 2475.	ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on May 26, 2026, 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:

Alison Lackey
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. CA5

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: May 26, 2026

REGULAR ____ **CONSENT** __x__ **EFFECTIVE DATE** __________N/A__________

DATE: May 8, 2026

TO: Public Utility Commission

FROM: Michelle Scala

THROUGH: Scott Gibbens **SIGNED**

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 2211)
New reporting requirements associated with Oregon Administrative Rules Chapter 860 Division 21 relating to customer protections against disconnection.

STAFF RECOMMENDATION:

Approve Oregon Public Utility Commission (OPUC or Commission) Staff's recommendations regarding reporting requirements on Oregon Administrative Rules (OAR) Chapter 860, Division 21 related to customer protections against disconnection.

Specifically, direct Avista, Cascade Natural Gas, Idaho Power, Northwest Natural, PacifiCorp, and Portland General Electric to submit reporting on the metrics and information at the specified frequency described herein.

Metrics reported biannually as Q1 and Q3 Energy Burden Metrics Report (RO 16) supplement:

1. Specific dates when OAR 860-021-0407 and -0406 moratoriums were in effect within each service territory zone.

Metrics reported biannually as Q1 and Q3 Energy Burden Metrics Report (RO 16) supplement for months during which the utility's 12-month rolling average disconnection rate exceeded 0.1 percent:

2. Monthly count of non-payment disconnections in affected service territory zone(s) subject to a disconnection moratorium under OAR 860-021-0407 or OAR 860-021-0406 on the day before the moratorium begins.

3. Monthly count of reconnections for income-qualified and medical certificate accounts in affected service territory zone(s) subject to an active disconnection moratorium under OAR 860-021-0407 or OAR 860-021-0406.

One-time Informational Report filed under Docket No. UM 2211 on or before January 20, 2027:

4. Policy documentation demonstrating adherence to Division 21 requirements, which may include, but are not limited to the utility's procedures and operational practices in effect to comply with customer protections specified under OAR 860 Division 21 (formatted for external review and evaluation).

And further direct Avista, Cascade Natural Gas, Idaho Power, Northwest Natural, PacifiCorp, and Portland General Electric to present an overview of completed reporting and any relevant findings at a Staff-facilitated workshop with UM 2211 stakeholders in Q3 2027.

DISCUSSION:

Issue

Whether the Commission should adopt Staff's recommended reporting requirements for customer protections against disconnection under OAR 860, Division 21.

Applicable Law

ORS 756.040(2) vests the Commission with power and jurisdiction to supervise and regulate every public utility in this state, and to do all things necessary and convenient in the exercise of such power and jurisdiction.

ORS 757.230, as amended by HB 2475, provides the Commission authority to take certain considerations into account when determining a comprehensive classification of service for each public utility; including, the quantity used, the time when used, the purpose for which used, the existence of price competition or a service alternative, the services being provided, the conditions of service, differential energy burdens on low-income customers and other economic, social equity or environmental justice factors that affect affordability for certain classes of utility customers.[1]

Pursuant to ORS 756.060, the "Commission may adopt and amend reasonable and

[1] The Energy Affordability Act (HB 2475 – 2021 Regular Session) amended ORS 756.610, ORS 757.230, and ORS 757.072 and enacted new provisions to address equity in rate setting and participating in PUC proceedings, effective January 1, 2022. Or Laws 2021 Ch. 90.

proper rules and regulations relative to all statutes administered by the commission...."

Analysis

Background
On May 23, 2025, Commission Staff opened permanent rulemaking docket, AR 671, to engage stakeholders on proposed amendments to OAR 860, Division 21. The proposed amendments were intended to provide greater disconnection protections to residential customers under higher risk conditions, including severe weather, medical vulnerabilities, and economic hardship. The permanent rulemaking was preceded and informed by temporary rulemaking dockets AR 667 and AR 670.

On October 16, 2025, the Commission issued Order No. 25-411, adopting Staff's recommended motion, including to advance the AR 671 rulemaking into its formal phase[2] and direct the utilities to, in part:

> "Begin engagement with Staff and interested UM 2211 stakeholders by January 31, 2026, on:
> - Arrearage and bill relief programs.
> - Noticing and outreach procedures.
> - Reporting metrics for Division 21 residential customer protections"

Staff notes that the Commission did not specifically address this aspect of Staff's recommendation in the Order; however, in adopting Staff's motion, only two amendments were proposed, neither of which modified the directed engagement aspect of Staff's recommendation. As such, following the Order, Staff proceeded to work with utility and non-utility stakeholders to ensure compliance with the Order, as approved by the Commission, except where expressly amended.

Staff convened AR 671/UM 2211 stakeholders on January 28, 2026, and initiated engagement on the issues identified in the Staff recommendation and as adopted in the Order.

Staff Proposal
The following table summarizes Staff's proposal.

	Metric	Description	Cadence
1	**Specific moratorium dates**	Specific dates when OAR 860-021-0407 and -0406 moratoriums were in effect within each service territory zone.	Biannual: Q1 and Q3 attachment to RO16

2 Permanent amendments to Division 21 were adopted in AR 671 on December 31, 2025 under Order No. 25-543.

2	**Monthly non-pay disconnections day before moratorium begins**[3]	Count of non-payment disconnections in affected service territory zone(s) subject to a disconnection moratorium under OAR 860-021-0407 or -0406 on the day before the moratorium begins.	Biannual: Q1 and Q3 attachment to RO16
3	**Monthly count of IQ and MC account reconnections**[4] **during moratorium**[5]	Count of reconnections for income-qualified and medical certificate accounts in affected service territory zone(s) subject to an active disconnection moratorium under OAR 860-021-0407 or -0406.	Biannual: Q1 and Q3 attachment to RO16
4	**Policy audit documentation**	Policy documentation demonstrating adherence to Div 21 requirements.	One-Time January 20, 2027 (filed in UM 2211)

Staff believes that the recommended reporting is appropriate as a means of reasonable oversight of Division 21 customer protections and to generate insight that is not available through existing reporting mechanisms. Reporting specific moratorium dates enables Staff to confirm utility compliance with rule-based restrictions and helps identify periods of elevated customer risk. The count of non-payment disconnections on the day prior to a moratorium provides visibility into potential pre-moratorium vulnerabilities and allows Staff to assess whether customer exposure is increasing immediately before protections take effect. Monthly reconnection counts for income-qualified and medical certificate customers during moratoria enable Staff to evaluate whether vulnerable customers are being reconnected at rates consistent with the intent of the rules and allow comparison with disconnection trends reflected in Metric 2. Finally, the one-time internal controls and policy documentation offers a fuller understanding of how utilities operationalize Division 21 requirements and helps Staff identify procedural strengths, gaps, or inconsistencies. Collectively, these metrics allow Staff to more fully understand customer risk, operational behavior, and the real-world functioning of the protections.

Staff Considerations
In developing its proposal, Staff put forward the following considerations:

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3 Reporting on this metric only applies for months where the utility's 12-month rolling average disconnection rate is greater than 0.1 percent.
4 Count includes pre-existing income qualified and medical certificate accounts and accounts where customer enrolls in or attests to IQ/MC status at the time of reconnection.
5 *See* footnote 1.

- Filling gaps not covered by existing EBMR (RO 16) reporting.
- Demonstrated cross-utility ability to produce the metric without major system changes.
- Direct relevance to Division 21 compliance, including weather-related disconnection limits.
- Providing actionable customer-risk insight rather than duplicating RO 16.
- Cross-utility technical barriers indicating metrics would require manual review or new data fields.

Regarding the one-time policy documentation, Staff deliberately refrained from proposing overly prescriptive language. Instead, Staff sought to provide utilities with general guidance on the intended purpose of the reporting requirement. Staff articulated the overarching objective for this report and clarified that, while submissions may differ, Staff supports the exercise of reasonable utility discretion when undertaken in good-faith efforts to comply.

Staff's proposal was also informed by input provided during the various virtual meeting engagements and written comments. Staff worked closely with utility and non-utility stakeholders to develop its final proposal. Of particular note, Staff asked utilities to respond in written comments to the Energy Justice Advocates' (EJA) February 24, 2026, list of proposed metrics. This exercise was done prior to Staff issuing its first proposal and played a significant role in helping Staff evaluate metrics for interest, feasibility, and informational value. The table in Attachment 1 summarizes utility comments on the EJA proposal. It was created by Staff and shared with stakeholders on April 3, 2026.

Stakeholder Engagement
Staff first met with stakeholders on January 28, 2026, and at that time, communicated its expectations to bring a proposal on reporting associated with the Division 21 customer protections before the Commission at a later date. At this same meeting, Staff requested a straw proposal from Energy Advocates on desired metrics for the group to consider and on February 24, 2026. The EJA were comprised of Oregon Citizens' Utility Board (CUB), Oregon Just Transition Alliance, Verde, and Community Energy Project. The EJA filed comments proposing eight specific reporting metrics and two compliance-related questions in response to Staff's request. Staff held a second meeting on March 10, 2026, to receive feedback on those proposals and utilities filed reply comments on March 27, 2026, responding to the EJA's proposals and workshop discussion. Following this initial information gathering exercise, Staff held two additional meetings and issued a total of three proposals, each further refined by continued collaboration with parties.

All stakeholders actively participated in meeting engagement and written comment. Utility participants helped Staff and other stakeholders understand how metrics would be collected, discussing manual collections, coding, data set alignment (e.g., customer accounts vs. moratorium zones), and flagging metrics as possible, possible but challenging, unfeasible, etc. Non-utility participants helped communicate and articulate the intent and value behind certain reporting, including flagging persistent gaps, targeting advocacy, coordinating communications, and monitoring compliance. Together, the group made efforts to elevate unknown challenges and consider shared solutions.

Staff appreciates the various issues raised by stakeholders throughout this process and acknowledges the efforts all parties have made to advance a thoughtful and collaborative approach. Staff understands that its proposal may be perceived as too narrow for some groups wishing to have more data on the efficacy of the protections, and simultaneously too onerous for other groups concerned with manual processes and challenges capturing the right data. That said, Staff is encouraged that in spite of these concerns, all participating utility and non-utility stakeholders indicated that they do not object to Staff's proposal, as described in this memo. To this end, Staff is hopeful that its proposal strikes a reasonable balance across informational value, administrative burden, and associated tradeoffs.

Conclusion

Staff concludes that the proposed reporting framework appropriately balances informational value, administrative feasibility, and stakeholder perspectives. The recommendations presented herein reflect a collaborative development process and address key compliance and oversight needs associated with Division 21 customer protections. Accordingly, Staff finds the proposal to be reasonable and in the public interest and recommends that the Commission approve Staff's reporting requirements and associated directives as outlined in this memo.

PROPOSED COMMISSION MOTION:

Approve OPUC Staff's recommendations regarding reporting requirements on OAR Chapter 860, Division 21 related to customer protections against disconnection.

Specifically, direct Avista, Cascade Natural Gas, Idaho Power, Northwest Natural, PacifiCorp, and Portland General Electric to submit reporting on the metrics and information at the specified frequency described herein.

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And further direct Avista, Cascade Natural Gas, Idaho Power, Northwest Natural, PacifiCorp, and Portland General Electric to present an overview of completed reporting and any relevant findings at a Staff-facilitated workshop with UM 2211 stakeholders in Q3 2027.

Attachment 1: Summary of Utility March 27, 2026 Comments

The table below summarizes each utility's ability to report each of the EJA proposed metrics.

EJA proposed Metric	Pacific Power	PGE	Avista	CNGC	Idaho Power	NW Natural
M1: Specific moratorium dates	Manual only	Manual only	Manual only	Manual only	Manual only	Manual only
M2: Non-pay disconnections day before event*	Yes	Yes	Manual only	Significant programming	Yes	Yes
M3: Non-pay disconnections two days after event*	Yes	Yes	Manual only	Significant programming	Yes	Yes
M4: Customers reconnected during moratorium	Manual only	No	No	No	No	Yes-modified
M5: Customers remaining disconnected during event	No	No	No	Significant programming	No	Yes-modified
M6: Reconnection cost by customer type	Manual only	Yes	Manual only	No	Manual only	Yes
M7: CSR calls	No	No	No	No	No	No
M8: Policy audit documentation	Yes	Yes	Yes	Yes	Yes	Yes
Q1: Disconnection notices alert customers to moratorium protections?	Yes	Yes	Yes	Yes	Yes	Yes
Q2: CSRs offer BDP/MC customers no-cost reconnect during qualifying events?	Yes	Yes	Yes	Yes	Yes	Yes