

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

LC 85

In the Matter of

PACIFICORP, dba PACIFIC POWER,

2025 Integrated Resource Plan and Clean
Energy Plan.

ORDER

DISPOSITION: AMENDED CASE FUND BUDGET APPROVED

On July 15, 2026, the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) filed a request to amend and supplement a previously approved Case Fund grant under the Environmental Justice Communities Funding Agreement (Justice Funding Agreement) pursuant to OAR 860-001-0860(12) and (13) and Order No. 25-409. The Administrative Hearings Division contacted CTUIR for clarification regarding the proposed amended budget. On August 24, 2026, CTUIR filed a letter providing supplemental information regarding its participation in Phase I and Phase II of these proceedings.

On October 15, 2025, the Commission approved the Justice Funding Agreement in Order No. 25-409, to be effective January 1, 2026.¹ Under the Justice Funding Agreement a Case Fund is available for use by approved organizations to support specific, eligible expenses arising from representation of customers of Participating Public Utilities in Eligible Proceedings before the Commission. OAR 860-001-0830 establishes that Eligible Proceedings include, but are not limited to, rulemakings, contested cases, declaratory rulings, rate cases, and integrated resource plans. PacifiCorp is a Participating Public Utility under the Justice Funding Agreement and on October 7, 2025, the Commission certified these proceedings as eligible for Case Fund funding and certified CTUIR as an Eligible Entity for Case Fund grant funding under the Justice Funding Agreement.

Pursuant to OAR 860-001-0860 and Section 6.7 of the Justice Funding Agreement, a Case Fund grant recipient may file to amend a budget and request additional funding due

¹ *In the Matter of Public Utility Commission of Oregon*, Docket No. UM 2389, Order No. 25-409, Attachment A (Oct. 15, 2025).

to unforeseen changes in the scope or complexity of issues in a proceeding, the positions presented by other parties, changes in the schedule of a case, or other good cause. Any request for an amended Case Fund budget must identify the previously approved budget amounts and the amended proposed budget amount. Any budget amendment request must meet all applicable requirements related to Case Funds and proposed budgets established in the Justice Funding Agreement.

In its request to amend its approved budget, CTUIR details its participation in Phase I of these proceedings and provides an accounting for the Case Fund payments it has received to date. Specifically, CTUIR identifies Order No. 26-090, where the Commission approved CTUIR's final payment request and directed PacifiCorp to distribute \$6,527.50 to CTUIR from the 2025 PacifiCorp Case Fund. CTUIR confirms that PacifiCorp provided this payment on April 14, 2026.

In support of its request for amendment, CTUIR notes Order No. 26-054, where the Commission conditioned acknowledgment of select action items within PacifiCorp's 2025 Integrated Resource Plan (IRP) and Clean Energy Plan (CEP) upon the filing of a 2025 IRP update or separate filing no later than July 2026. On June 30, 2026, PacifiCorp filed its 2025 IRP and CEP Supplement and Staff announced the Supplemental Filing Schedule for the second phase of these proceedings.

CTUIR outlines its intention to conduct a comprehensive assessment of PacifiCorp's June filing to determine the potential impact on Environmental Justice Community residential customers residing on the Umatilla Indian Reservation and evaluate potential alignment with the CTUIR's Strategic Energy Plan and other energy policies adopted by the CTUIR Board. Additionally, CTUIR states it anticipates attending all workshops or related Commission proceedings, preparing written comments, reviewing comments from other participants, and coordinating activities with participants with similar interests. No party filed a response to CTUIR's motion.

Pursuant to OAR 860-001-0860(9), and Section 6.4 of the Justice Finding Agreement, the Commission has the authority to accept, deny, or partially deny a budget proposal, and may place reasonable conditions on any approved grant. Specifically, the Commission may deny a proposed budget if the proposal is not consistent with the breadth and complexity of the issues and the procedural schedule, among other factors. Additionally, under Order No 25-408, the Commission has delegated the responsibility of signing uncontested orders relating Intervenor Funding Agreements that: 1) approved or modify proposed budgets; 2) determine a proceeding to be eligible for issue or case funding;

3) certify an organization as eligible for issue or case funding and; 4) authorize partial of final payments to the Chief Administrative Law Judge.²

I find the changes in the procedural schedule to include a second phase of this proceeding and the scope and complexity of these proceedings warrant CTUIR's requested amendment to its Case Fund grant budget. CTUIR's proposed amended budget of up to \$16,075 is approved.

ORDER

IT IS ORDERED that:

1. The Confederated Tribes of the Umatilla Indian Reservation's proposed amended budget as modified above in the amount of \$16,075 is approved.
2. PacifiCorp pay \$8,037.50 from the 2026 PacifiCorp Case Fund within 30 days after receipt of this order, and the grant be assessed to PacifiCorp residential customers.

Made, entered, and effective Aug 24, 2026.



Alison Lackey
Chief Administrative Law Judge



² *In the Matter of Public Utility Commission of Oregon, The Delegation of Certain Duties and Powers of the Public Utility Commission of Oregon, Docket No. CD 27, Order No. 25-408 (Oct. 15, 2025).*