



Oregon Public Utility Commission
201 High Street SE, Suite 100
Salem, OR 97301-3398

December 30, 2022

RE: UM 1930 – Request for public comments on Staff’s draft modifications to CSP Program Implementation Manual

Dear Chair Decker, Commissioner Tawney and Commissioner Thompson,

Oregon Shines and the Project Managers (PMs) it represents thanks Staff for preparing the draft Program Implementation Manual (PIM) modifications, aligning Order No. 22-363 with the language in the PIM. Oregon Shines is generally supportive of these modifications but would like to take this opportunity to comment on several of the proposed modifications and also provide some suggested solutions to potential issues.

Clarifying Ability of Project Managers and their Agents to Modify Subscriptions on Behalf of Participants

Oregon Shines generally supports the modifications made in this section but would like to express our concern with one of the suggested modifications:

If PMs or their agents make one or more of the permitted subscription modifications to a CSP contract after it has been signed by the Participant, the PM or its agent must also provide the Participant with notice of the change(s) and a revised and updated contract, without delay.

We recognize the importance of notifying Participants when a change in their subscription size has been made, however, we would suggest putting a threshold on the range in which it is required to send such notification. Subscription size changes occur for a number of reasons for both Residential and Commercial subscribers. The primary reason for Residential subscribers is to protect against oversubscription. Multiple small changes may need to be made throughout the year in order to ensure that a customer’s subscription does not produce more than their annual usage and sending a notification each time this occurs would be both confusing for a customer and administratively burdensome for a PM or Subscription Manager (SM). Our contracts already give us the ability to make these changes when needed and customers consent to allowing us to make these changes without notification.

For a Commercial subscriber, we have experienced a few different scenarios that may result in subscription size changes such as: oversubscription risk, account closures and account transfers. Since Commercial customers often have multiple meters subscribed to a project, it is more likely that when a change is made (for example, when an account closes) a SM will need to make multiple adjustments to multiple different meters. In a recent example, a customer’s



account was accidentally transferred to a tenant's name which required us to temporarily increase the subscription size on multiple meters to account for the lost account just to change the subscription sizes back a few weeks later when the issue was resolved. These scenarios are already administratively burdensome. To have to notify the customer and provide updated contracts each time one of these changes occurs would not only be time intensive on our end but would also cause unnecessary confusion for customers. For just this one issue occurring on one project, 10 customer meters had to be adjusted and then readjusted a few weeks later.

We would suggest that the modification allow subscription modification notices to be required only if a subscription size is modified by more than 25% so that SMs will only need to notify the customer of any substantial changes that were made.

Prohibiting Specific Uses of Agent Agreements in CSP

Our second concern surrounds number two in the section "Prohibiting Specific Uses of Agent Agreements in CSP":

Assign a Participant's subscription to a CSP project without first identifying the project in the contract signed by the Participant

It has come to our attention recently that this provision causes issues with implementing any traditionally effective 'waitlist' mechanism. Ideally, an agent would be able to obtain all necessary consent from a potential subscriber at the time of sign up in order to add that customer to a waitlist. When subscribers inevitably fall out of projects for one reason or another, an agent can then quickly slot a new subscriber into a project with no revenue loss.

Many of our existing and potential investment partners are requiring a waitlist that ensures no revenue loss. Investment partners have made it clear that a list of 'interested' subscribers is not enough as you then have to bank on that subscriber signing a contract in a timely manner if/when a slot does become available. This can take weeks or not happen at all.

If agents are unable to sign contracts with customers without assigning them to a project, creating a waitlist becomes nearly impossible without creating a confusing customer experience. If a customer were to sign a contract for a specific project only to be switched into a different project weeks (or months) later, they may not understand why as they do not know the ins and out of the program and why we were required to slot them into a specific project only to switch them into a different one later down the road.

In addition to a more complex customer experience, investment partners typically will accept a robust, contracted waitlist in lieu of running credit checks on residential and low-income subscribers. We have been able to avoid running credit checks thus far but may unfortunately have to implement this if a suitable waitlist solution is not identified. Although we have not been able to come up with a workable solution on our own at this time, we welcome the opportunity to work with Staff and the Program Administrator to find a workable solution.



We thank you for your time and consideration of our comments.

Sincerely,

Carly Sellers
Program Manager
Oregon Shines