Public Utility Commission
Attn: Michael Dougherty
        Filing Center P.O. Box 1088 Salem, OR 97308-1088

        Re: Docket No. AR 653
                Strengthening Consumer Protections Concerning Disconnections
                Docket No. UM 2114
                Investigation into the Effects of the COVID-19 Pandemic on Utility Customers

                Supplemental comments regarding cold weather and severe weather moratoria

Dear Mr. Dougherty,

We are submitting these supplemental comments to make available to you a health-based
assessment by Multnomah County Health Department staff of OAR 860-021-0408(1) and the
changes that Staff originally proposed in its March 23, 2022 second draft of revisions to the
Division 21 Rules (the "Second Draft"). Multnomah County Office of Sustainability staff
mentioned this assessment at the April 6, 2022 workshop.

OAR 860-021-0408(1) triggers a severe weather moratorium when the forecasted high
temperature is lower than 32, and the Second Draft adds a winter storm to the severe weather
moratorium triggers. However, symptoms of hypothermia and respiratory symptoms can occur
at temperatures well above 32°F, sometimes in the mid 50s. The Joint Advocates' March 7,
2022 comments point to recent examples when the addition of winter storms to OAR
860-021-0408(1) would have failed to trigger a severe weather moratorium despite severe cold
weather.[1] As a result, the cold threshold for a severe weather moratorium in the current OAR
860-021-0408(1) or in the Second Draft are not sufficiently protective of health.

Some good work has been done in the UK that can help guide stakeholders, the Oregon Public
Utility Commission, and its Staff in trying to identify a health-protective threshold. In a systematic
review prepared as a threshold recommendation, researchers established a threshold of
18°C/64°F for indoor temperatures.[2] Below that temperature, adverse health impacts are
observed. The National Health Service used this review to develop a cold weather plan, and in
supporting documents they identify a range of 4-8° C (39-46°F) as the outdoor temperature at
which significant health effects are observed in the general population.[3] Based on their review,
we should expect adverse health impacts when average outdoor temperatures are below 40°F.
The information from the UK offers useful targets for establishing health based protections, and

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[1] Joint Advocates' Comments on Staff's Draft Changes to Division 21 Rules at 5 (Mar. 7, 2022).
[2] Rachel Jevons et al., *Minimum indoor temperature threshold recommendations for English homes in winter – A systematic review*, 136 Public Health 4 (2016).
[3] Public Health England and NHS England, *Cold Weather Plan for England - Making the Case: Why long-term strategic planning for cold weather is essential to health and wellbeing* at 6, 11-12, 27 (2017) available at
https://khub.net/documents/135939561/174099487/Cold+Weather+Plan+-+Making+the+Case.pdf/69c22c
83-1b1f-cfb9-0e2d-8f603a7b426e?t=1635339855693.

brings to light how far current moratorium thresholds need to go to offer an evidence-based, health-protective level.

A moratorium at 32°F is likely to reduce harm, but will not fully protect against health impacts from cold weather. At the April 6 workshop, Staff expressed interest in exploring modifications to OAR 860-021-0408(1) that would trigger a severe weather moratorium when the temperature is forecasted to be below 32°F (instead of the current forecasted high of 32°F). While that change to OAR 860-021-0408(1) would be a significant improvement from the current severe weather moratorium rule, and is likely to reduce harm, it will not fully protect against health impacts from cold weather.

We thank you for your work on this proceeding and for considering changes to the severe weather moratorium rules that center the health and wellbeing of customers at risk of disconnection.

Respectfully submitted this 18th day of April, 2022,

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