

January 10, 2022

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

**Re: Docket No. UM 2211
Implementation of House Bill 2475
Advocates' Comments on Staff's Proposed Baseline Evaluation
Criteria**

The Joint Advocates, representing community-based organizations, community action agencies, individual advocates, energy and climate justice organizations, and local governments, thank Staff for their thoughtful work in the strong set of draft evaluation criteria in Staff's December 22, 2021 document. Staff's draft criteria adopt many principles that the advocates have already identified as important in the context of discussions around Portland General Electric's interim, HB 2475-enabled low-income customer program. These criteria would set a strong foundation for the interim programs that utilities will adopt.

Importantly, the Joint Advocates support the creation of interim programs on a fast timeline with the understanding that these are temporary solutions that will protect customers while more durable solutions are identified in the longer HB 2475 implementation process.

Advocates encourage Staff to further strengthen these draft criteria by considering the following feedback.

Gas utility programs/Relief related to heating season

It is important for natural gas utilities to still develop interim utility programs focused on relief for low-income customers, like a rate discount, in addition to their "enhanced bill assistance." Interim programs are likely to be necessary for the 2022-2023 heating season while the HB 2475 investigation wraps up and more durable solutions can be enacted. Relatedly, we would also like to better understand what criteria will be used in the evaluation of natural gas utility enhanced bill assistance programs.

We appreciate the sense of urgency around gas utility programs and the need for enhanced bill assistance given the heating season. This is especially crucial right now, as gas prices have gone up this winter by 13.2% for NW Natural, 10.2% for Cascade Natural Gas and 8.4% for Avista Utilities. As a result, we support Staff's proposal that gas utilities have enhanced bill assistance programs as soon as possible.

Electric utilities also need solutions that recognize burdens from the heating season because their interim programs would not be required to be operational until May 2022. The majority of

customers who rely on utility services for heating rely on electricity.¹ For that reason, we suggest including the criteria that electric utilities expecting to launch their programs past March 1, 2022 also have enhanced bill assistance programs to help customers who use electricity for heat through the current heating season. Those programs could largely rely on the structure for arrears management that utilities already developed.

Draft baseline evaluation criteria

Eligibility

We support Staff's eligibility evaluation criteria as reducing barriers and friction for people to enroll in this program will help ensure that as many of those who need the relief associated with these programs can receive them.

We strongly appreciate seeing auto-enrollment in Staff's draft criteria. Direct-service providing CBOs among the Joint Stakeholders have expressed interest in enrolling those people they are serving. Auto-enrollment and tools that enable CBOs to enroll people would reduce barriers and avoid the risk that in-need customers miss on accessing the relief.

We recognize that lower-friction approaches to enrollment raise some issues (i.e. if someone is auto-enrolled into a tiered program, what level should they receive?). Still, there are practical and low-administrative burden solutions to these issues (i.e. auto-enroll in lowest discount tier based on what is known about income threshold for program that makes customer eligible). Making sure that folks in need receive relief justifies exploring those solutions.

Level of relief

We support Staff's draft criteria and would like to better understand what Staff would consider successful prioritization of lowest income customers with the highest burden.

In the context of PGE's stakeholder discussions, we spent a significant amount of time trying to understand questions like what income levels should make someone eligible and how to determine burden given the data that may be available to the utility. It would be helpful to have a sense of how Staff views whether a program meets its level of relief criteria (i.e. by demonstrating a focus on reducing energy burden to less than 6%) as we prepare for conversations regarding other utility programs.

60% SMI has been discussed as a potential threshold in the context of interim utility programs due to its use in other programs like LIHEAP. However, that threshold would exclude a minimum-wage earner in Portland working 40 hours per week. This is problematic as many of Oregon's BIPOC communities reside in the Portland area. As a result, we propose that Staff's

¹ Oregon Department of Energy, *Energy by the Numbers* at 52
<https://www.oregon.gov/energy/Data-and-Reports/Documents/2020-BER-Energy-by-the-Numbers.pdf#page=51>

criteria specifies that income thresholds should be sufficiently high to include minimum-wage earners.

Tracking and accounting

We support the metrics for tracking in Staff's draft criteria, as well as the frequency of reporting. For example, we strongly support tracking demographic data to understand what communities that these interim programs serve and what communities they may need to do more outreach to. To the extent that any well-founded legal concerns prevent collecting that data, zip-code level demographic data could be used as a proxy.

We recommend that the final evaluation criteria also require tracking of the following metrics as they will help us collectively understand whether the programs are successfully reaching folks who are likely energy burdened but have not received energy assistance:

- The number of customers participating in the new program who received energy assistance in the last two years. This data will be helpful in evaluating whether the program is expanding the number of eligible customers who are receiving assistance.
- The number of participating customers who have both 30-day and 60-day arrearages and the amount of those arrearages. This will help us understand whether reducing current bills helps customers pay off their arrearage and whether this program should be combined with arrearagement management programs.

Bundling

We strongly support efforts to have these programs holistically address energy burden, not just through a rate solution but also through ensuring that participating customers receive energy efficiency and weatherization services. However, limited capacity and funding for weatherization service providers may be a concern and a barrier to providing weatherization services within a specified period.

We recommend a more in depth conversation on this topic that includes weatherization service providers (CAAs and CBOs) and Energy Trust of Oregon. In the meantime, we recommend that the draft evaluation criteria uses more general language like "Best efforts to offer weatherization services, including coordination with weatherization service providers to assess feasibility of providing services to participating customers."

Outreach and Engagement

We support Staff's draft criteria, and are especially appreciative of the request that utilities consider stakeholder engagement in other utilities' processes as that could help reduce our need to duplicate efforts across utility program conversations. We suggest the following enhancements:

- Specifying that a best practice for program marketing that is transparent and informative is that utilities consult about their program marketing with CAAs and CBOs that provide direct service, especially to underserved communities.
- Asking that utilities provide information regarding feedback received, their decision whether to incorporate it or not, and an explanation of their decision not to incorporate it when applicable.
- Asking that utilities survey participating customers beyond the six (6) months in case the interim programs are in place for longer than we plan. This could be accomplished by amending the criteria to: “Surveying participating customers and CAP agencies every three months.”
- Asking that utilities surveys include efforts to assess baseline energy insecurity and energy burden and program impacts on both metrics.
 - Utilities should include questions seeking to understand whether folks are or were foregoing other basic expenses in order to pay for their energy bills or not paying/underpaying their energy bills to meet other basic expenses, and how the program has impacted that reality.
 - Utilities should include questions that aim to understand a household’s energy burden prior to joining the program and what impact that the program discount may be having on energy burden.

Conclusion

The Joint Advocates support Staff’s draft baseline evaluation criteria because they would help ensure that utilities advance strong interim programs with substantial benefits for community members living with energy poverty and energy insecurity. Strong interim programs are important as these programs will likely be in place for the duration of the HB 2475 implementation process and we are well aware that many members of our community are in serious need of relief.

That said, it is critical that Staff ensure these criteria are as robust as possible. We urge the OPUC staff to consider improving the evaluation criteria by doing the following:

- For gas utility programs, clarify that they should develop interim utility programs in addition to their “enhanced bill assistance” in anticipation of the 2022-2023 heating season.
- For gas utility programs, make clear what criteria will be used in the evaluation of natural gas utility enhanced bill assistance programs.
- Include criteria that electric utilities expecting to launch their programs past March 1, 2022 also have enhanced bill assistance programs through the current heating season.
- For eligibility, ensure that CBOs can enroll people they serve rather than having to refer to the utility.
- For level of relief, make clear what Staff would consider successful prioritization of lowest income customers with the highest energy burden.
- For level of relief, ensure that minimum-wage earners can participate in the program.

- For tracking and accounting, include in metrics the number of customers participating in the new program who received energy assistance in the last two years, and the number of customers who have both 30 and 60-day arrearages and the amount of those arrearages.
- For bundling, convene conversation with weatherization service providers and amend language to recognize how resource and capacity constraints may limit weatherization providers ability to serve participating customers within a specific timeline.
- For outreach and engagement, specify that a best practice for program marketing is for utilities to consult with CAAs and CBOs that provide direct service, especially to underserved communities.
- For outreach and engagement, ask that utilities provide information regarding feedback received, their decision whether to incorporate it or not, and an explanation of their decision not to incorporate it when applicable.
- For outreach and engagement, ask that utilities survey participating customers beyond the six0-0month timeline, in case the interim programs are in place for longer than we plan. This could be accomplished by amending the criteria to: “Surveying participating customers and CAP agencies every three months.”
- For outreach and engagement, request that utility surveys try to ascertain participating customers' energy burden prior to the program, energy poverty prior to the program, and participation impacts on both metrics.

Thank you for your consideration and we look forward to working with you moving forward in this process.

Sincerely,

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