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**Douglas C. Tingey**  
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November 20, 2008

***Via Electronic Filing and U.S. Mail***

Oregon Public Utility Commission  
Attention: Filing Center  
550 Capitol Street NE, #215  
PO Box 2148  
Salem OR 97308-2148

**Re: UE 88/DR 10/UM 989**

Attention Filing Center:

Enclosed for filing in the captioned docket are an original and one copy of:

- **MOTION FOR APPROVAL OF REFUND METHODOLOGY. [EXPEDITED CONSIDERATION REQUESTED]**

This document is being filed by electronic mail with the Filing Center. An extra copy of the cover letter is enclosed. Please date stamp the extra copy and return to me in the envelope provided.

This document is being served upon the UE 88/DR 10/UM 989 service lists.

Thank you in advance for your assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Tingey", is written over a light-colored background.

Douglas C. Tingey

DCT:jbf  
Enclosures  
cc: Service Lists-UE 88/DR 10/UM 989

## CERTIFICATE OF SERVICE

I hereby certify that I have this day caused **MOTION FOR APPROVAL OF REFUND METHODOLOGY** to be served by electronic mail to those parties whose email addresses appear on the attached service list, and by First Class US Mail, postage prepaid and properly addressed, to those parties on the attached service list who have not waived paper service from OPUC Docket Nos. UE 88/DR 10/UM989.

Dated at Portland, Oregon, this 20th day of November 2008.

  
\_\_\_\_\_  
DOUGLAS C. TINGEY

SERVICE LIST  
OPUC DOCKET # UE 88/DR 10/UM 989

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**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**DR 10, UE 88, UM 989**

In the Matters of

The Application of Portland General Electric Company for an Investigation into least Cost Plan Plant Retirement, (DR 10)

Revised Tariffs Schedules for Electric Service in Oregon Filed by Portland General Electric Company, (UE 88)

Portland General Electric Company's Application for an Accounting Order and for Order Approving Tariff Sheets Implementing Rate Reduction. (UM 989)

**MOTION FOR APPROVAL OF  
REFUND METHODOLOGY**

**[EXPEDITED CONSIDERATION  
REQUESTED]**

**INTRODUCTION**

Order No. 08-487, entered September 30, 2008, in this docket, requires Portland General Electric Company (“PGE”) to refund \$33.1 million, plus interest. The Order gives direction regarding what customers are eligible, how eligible customers will be identified and located, how the refund is to be publicized, the time during which the refund process is to take place, and the division of the refund among classes of customers. *Id.* at 104-5. The Order also directed Commission Staff to convene a workshop to develop language for the customer notice, and the form to be used to submit a claim. *Id.* at 105. The Order also states:

We also urge the parties to consider and recommend any changes to these procedures to minimize the burdens placed on eligible customers seeking a refund.

*Id.*

Two workshops have been held. In addition to PGE and Commission Staff, counsel for the Utility Reform Project and the parties known as the Class Action Plaintiffs participated in the workshops.

Pursuant to the Order language quoted above, PGE recommends certain changes and additions to the procedures set forth in the Order. If these changes are deemed to be or require amendments to the Order, then PGE moves, pursuant to ORS §756.568, for amendment to Order 08-487 as set forth below. PGE has discussed this motion with those that participated in the workshops. Staff supports this motion. PGE anticipates that the Utility Reform Project, and the Class Action Plaintiffs may oppose portions of this motion. Because the deadline for notifying customers is less than two weeks away, PGE requests expedited consideration of this motion.

## **DISCUSSION**

**CUSTOMER NOTIFICATION.** The Order states that “any PGE customer who received service at any time during the one-year period from October 1, 2000, and September 30, 2001 – is eligible for a refund.” *Order 08-487*, p. 104. PGE has identified approximately 860,000 customers during this timeframe (the “Eligible Customers”). Of that number PGE can match about half, or 430,000, to current customer accounts (the “Eligible and Matched Customers”). That leaves about half, or about 430,000 customers (the “Eligible and Unmatched Customers”) for whom the last address known to PGE is several years old.

**Order:** The Order states:

[W]ithin 60 days from the date of this order, PGE must notify by mail all of its customers of record during the October 1, 2000, to September 30, 2001 period about the refund and provide information about how to file a claim. PGE may request to notify current customers who received service during this period through alternative means, such as a billing insert.

*Id.* at 104.

**Recommendation:**

PGE recommends and requests approval to notify customers as follows:

For Eligible and Matched Customers (those that PGE can identify as being both customers during the refund period and current customers today), a letter will be sent notifying them that the accounts listed in the letter have been identified as eligible for the refund, and that they need not do anything further to be eligible for the refund if the information is correct. The letter also gives the customer general information including a web-site and dedicated toll-free Trojan hotline number to call if they have questions. These customers would not need to file a claim as anticipated by the Order. A copy of the form letter to be sent to these customers is attached as Exhibit “A”.

For Eligible and Unmatched Customers (those that were customers during the refund period but not matched to a current account) PGE recommends that a third-party data matching service be utilized to attempt to find current addresses for these former customers. Based upon past experience with finding former customers using utility company data, the service provider PGE wishes to employ anticipates that potential current addresses will be found for a significant portion of the former customers. It is anticipated that this service, including notification to customers, will cost about \$200,000. For those former customers that are matched to a potentially current address, PGE recommends and requests that they be sent a letter, a copy of which is attached as Exhibit “B”. That letter will notify the customers they have been identified as potentially eligible for the refund, providing a claim form they can fill out and send in, providing a web-site address with an on-line form and further

information, and also providing a toll-free dedicated Trojan Refund hotline number they can call to verify their eligibility and make a claim.<sup>1</sup> If during the call to the hotline the account is verified, the account will be confirmed as in the pool for the refund, and the customer will not need to take any additional steps. The web-site and hotline are in addition to the claims processes outlined in the Order.

For the remaining Eligible and Unmatched Customers, for which potential current addresses are not found, PGE recommends that it not be required to send letters. To PGE, the cost of sending such letters outweighs the potential benefits. The newspaper advertising discussed below, with access to the hotline, seems to be the most efficient way to reach these potential claimants.

**Unverified claims.** For submitted claims that are denied due to inability to verify eligibility, PGE will allow additional documentation to be provided and the claims will be handled on an individual basis.

**Deadline for Mail Notification.** As quoted above, the Order directs PGE to mail notification within 60 days of the Order. Due to the time it has taken and will take to gather the information, set up the refund process, and acquire the services of a data matching service to aid in locating addresses for former customers, PGE requests that the deadline for mailing notice to customers be extended by a little over three weeks to December 23, 2008. This extension, along with the mailing process discussed above, will ensure a more efficient process using the best information available.

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<sup>1</sup> This hotline will be staffed by a third-party vendor with experience in handling similar matters. The hotline will remain in operation throughout the settlement and refund process.

**Newspaper Advertisement.** The Order requires PGE to “run the quarter-page advertisements once per week for four successive weeks in the following newspapers to ensure broad coverage”. *Id.* The Order then lists 13 newspapers across Oregon. PGE recommends that two additions be made to this requirement. First, that the Vancouver Columbian be added to the list of newspapers. Second, PGE recommends that an additional two weeks of newspaper advertisements be utilized. Beginning the week of December 15<sup>th</sup> PGE would place advertisements consistent with the Order for four consecutive weeks. In addition, two more weeks of advertisements will be run beginning the week of February 1<sup>st</sup>. The additional cost of these two weeks of advertisements is anticipated to be about \$40,000. A copy of the proposed advertisement is attached as Exhibit “C”.

Customers will be able to respond to the newspaper advertisements in three ways: by filling out the form included in the advertisement and sending it in, by calling the hotline, or through the website claims submittal process.

**ALLOCATION OF REFUND TO CUSTOMER CLASSES.** The Order, on page 104, establishes and allocation of the refund money between five large customer classes: Residential (45.18%), General Service (34.87%), Large General Service (6.23%), Industrial (12.66%), and Street Lighting (1.06%). PGE recommends and requests authorization to combine the customer classes labeled Large General Service and Industrial into a single class with a percentage allocation of 18.89%. This will remove the effects of rate schedule changes caused by customers exercising market price options that occurred prior to or during the refund period. These changes could potentially cause unanticipated shifts in the effective pro-rata refund amounts between these two classes.

## CONCLUSION

The requested changes will minimize the burdens placed on customers to receive a portion of this refund. They will also reduce the mailing of notices to addresses of record which are no longer current and to simplify the claims process. PGE believes these requests and recommendations fulfill the intent and direction of the Commission's order. PGE requests approval to implement the refund methodology, with the recommendations set forth above. Because of the upcoming deadline, PGE requests expedited consideration of this motion.

DATED this 20th day of November, 2008

Respectfully submitted,

/s/ DOUGLAS C. TINGEY

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# EXHIBIT A

Trojan Customer Refund  
Eligible and Matched Customer Letter Copy  
November 19, 2008

Name  
Mailing Address  
City, State Zip

Dear Name,

**Refund Notice: You will be receiving a refund from PGE**

Because you were a Portland General Electric customer anytime between Oct. 1, 2000 and Sept. 30, 2001, you will be receiving a refund. The Oregon Public Utility Commission has revised the amount that customers should have paid for the Trojan Power Plant, so PGE is refunding the difference of \$33.1 million.

The amount you receive will be based on the type of customer you are (residential, business, street lighting, etc.), how much electricity you used, and how many other customers receive refund. The amount of the average refund for residential customers is estimated at approximately \$20, but your amount may be lower or higher.

**You do not need to apply for the Trojan Customer Refund**

We have examined our records to find customers who qualify for a refund. The account in your name at the following address has been identified as eligible:

[insert service address here]

If this information is accurate, you do not need to do anything further to receive your refund. If you were responsible for more than one PGE account, you may receive more than one letter. We expect refund checks will be mailed by May 31, 2009. If you move before you receive your refund, please provide us with a forwarding address.

If you have questions about your refund, please call the Trojan Refund Hotline at 1-800-XXX-XXXX. For updated details on the Trojan Customer Refund, go to [PortlandGeneral.com/Refund](http://PortlandGeneral.com/Refund). For other PGE business, please call Customer Service at 503-228-6322 in Portland, 503-399-7717 in Salem or 800-542-8818 in other areas.

Sincerely,

PGE Customer Service

# **EXHIBIT B**

Trojan Customer Refund  
Eligible and Unmatched Customer Letter Copy  
November 19, 2008

**You may be eligible for a refund from PGE**

If you were a Portland General Electric customer anytime between Oct. 1, 2000, and Sept. 30, 2001, you may be eligible for a refund. The Oregon Public Utility Commission has revised the amount that customers should have paid for the Trojan Power Plant, so PGE is refunding the difference of \$33.1 million.

The amount you could receive is based on what type of customer you were (residential, business, street lighting, etc.), how much electricity you used, and how many other customers receive a refund. The amount of the average refund for residential customers is estimated at approximately \$20, but your amount may be lower or higher.

**We're working to reach current customers and former customers**

If you were responsible for more than one PGE account, you may receive more than one letter, or more than one type of letter. If you've received a letter titled "Refund Notice" from PGE, you don't need to do anything further to receive a refund for that account.

**How to apply for a refund if you haven't received a refund notice**

If you believe you're eligible for a refund, but haven't received a refund notice from PGE, you must apply to be considered for a refund. Here are four easy ways to apply:

- Call the Trojan Refund Hotline at 1-800-XXX-XXXX.
- Use the online form available at [PortlandGeneral.com/Refund](http://PortlandGeneral.com/Refund).
- Complete and mail in the enclosed form, or fax it to 1-800-XXX-XXXX.
- Or, you can drop off your completed form at any PGE Community Office.

Your application must be received by PGE by Mar. 31, 2009 – postmarks don't count! Refund checks will be mailed by May 31, 2009. If you move before you receive your refund, please provide us with a forwarding address.

If you have questions about the refund process, please call the Trojan Refund Hotline at 1-800-XXX-XXXX. For updated details on the Trojan Customer Refund, go to [PortlandGeneral.com/Refund](http://PortlandGeneral.com/Refund). For other PGE business, please call Customer Service at 503-228-6322 in Portland, 503-399-7717 in Salem or 800-542-8818 in other areas.

Sincerely,

PGE Customer Service

**Trojan Customer Refund Application Form [PRINT BARCODE HERE]**

To help you get your refund as quickly as possible, please give us as much information as you can! (\* indicates required information.)

\_\_\_\_\_  
\*Your name

\_\_\_\_\_  
Company or organization name (if applicable)

\_\_\_\_\_  
Has your name or company name changed? Please list previous name(s).

\_\_\_\_\_  
PGE account number (top right hand corner of the bill)

\_\_\_\_\_  
\*Current mailing address

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

\_\_\_\_\_  
\*Service address between Oct. 1, 2000, and Sept. 30, 2001

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

\_\_\_\_\_  
Telephone (daytime)

\_\_\_\_\_  
E-mail address

If you were responsible for more than one PGE account during this time, please attach a list of the account numbers and service addresses.

Mail your application to:  
Trojan Customer Refund  
P.O. Box XXXX  
Portland, OR XXXX

Fax your application to:  
Trojan Customer Refund  
1-800-XXX-XXXX

You can also drop off your completed application form at any of our seven convenient PGE Community Offices. Go to [PortlandGeneral.com/Contact](http://PortlandGeneral.com/Contact) for a list of locations.

# EXHIBIT C

# You may be eligible for a refund from PGE

If you were a Portland General Electric customer anytime between Oct. 1, 2000, to Sept. 30, 2001, you may be eligible for a refund. PGE is refunding \$33.1 million dollars to customers who helped pay for the Trojan nuclear power plant. The Oregon Public Utility Commission has revised the amount that customers should have paid, so PGE is refunding the difference.

The amount you receive is based on what type of customer you were (residential, business, street lighting, etc.), how much electricity you used, and how many customers receive a refund. The amount of the average residential refund is estimated at approximately \$20, but your amount may be lower or higher.

## Have you received a letter from PGE?

We have examined our records to find customers who qualify for the refund, and we've mailed qualifying customers a refund notice. If you received a refund notice from PGE, you do not need to apply in order to receive your refund.

## How to obtain your refund if you have not received a letter

If you believe you are eligible, but have not received a letter from PGE, you must apply for a refund. Here are three easy ways to apply:

- Call the Trojan Refund Hotline at **1-800-XXX-XXXX**.
- Use the online form available at **PortlandGeneral.com/Refund**.
- Complete and mail or fax the form below, or you can apply at any PGE Community Office.

*Your application must be received by PGE by Mar. 31, 2009 – postmarks don't count! Refund checks will be mailed by May 31, 2009.* If you move before you receive your refund, please provide us with a forwarding address.

## TROJAN CUSTOMER REFUND APPLICATION FORM

To help you get your refund as quickly as possible, please give us as much information as you can:

Your name*			
Company or organization name (if applicable)			
Has your name or company name changed? Please list previous name(s)			
PGE account number (top right hand corner of the bill)			
Current mailing address*	City	State	Zip Code
Service address* (between Oct. 1, 2000 and Sept. 31, 2001)	City	State	Zip Code
Telephone (daytime)	E-mail address		

*If you were responsible for more than one PGE account during this time, please attach a list of the account numbers and service addresses. \*Indicates required information.*

Mail your application to:  
**Trojan Customer Refund**  
**PGE**  
**P.O. Box [REDACTED]**  
**Portland, OR 97208**

Fax your application to:  
**Trojan Customer Refund**  
**1-800-XXX-XXXX**



**Portland General Electric**

You can also drop off your completed application at any of our seven convenient PGE Community Offices. Go to **PortlandGeneral.com/Contact** for a list of locations.

If you have questions about the refund process, please go to **PortlandGeneral.com/Refund** for additional details, or call the Trojan Refund Hotline at **1-800-XXX-XXXX**.