

June 22, 2023

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

via email to: puc.filingcenter@puc.oregon.gov

Re: Request for the Environmental Protection Agency's Green Power Partnership to participate in docket UM 2273 – Investigation into House Bill (HB) 2021 Implementation Issues

Dear Administrative Law Judge Mellgren:

The Green Energy Institute at Lewis & Clark Law School (GEI) and Sierra Club write to request that the Oregon Public Utility Commission (PUC) invite the Environmental Protection Agency's Green Power Partnership to participate in UM 2273- Investigation into House Bill (HB) 2021 Implementation Issues. As a federal agency, and out of respect for state sovereignty, the Green Power Partnership prefers that state agencies invite it to participate in state agency-level proceedings. We request the PUC invite the Green Power Partnership to participate in the above-referenced docket because it can provide technical expertise and education on the role of Renewable Energy Certificates (RECs) in GHG accounting, scenarios where double counting may arise and the impact of that double counting, and under what circumstances REC retirement is required to avoid double counting.

The Green Power Partnership was established in 2001 to encourage organizations to use green power voluntarily. It seeks to advance the United States renewable energy market by supporting renewable energy with the most significant environmental benefits. The Green Power Partnership works with large corporations, small and medium businesses, non-profit institutions, and local governments to help these organizations access green power. For example, several of Oregon's local governments are Green Power communities, including: Bend, Beaverton, Clatsop County, Corvallis, Cottage Grove, Gearhart, Hillsboro, Lake Oswego, Milwaukie, Talent, and Wilsonville. Further, several Oregon companies and one institution are also Green Power partners. Through this work, the Green Power Partnership has significant experience related to GHG accounting and voluntary REC programs.

Based on our conversations with Green Power Partnership about the implementation of HB 2021 and the treatment of RECs, we believe it can offer valuable technical expertise that will benefit this investigation. The Green Power Partnership's participation will not delay or otherwise prejudice the parties. We have drafted a proposed order, below, to enable this request. We kindly request that the PUC invite the Green Power Partnership to participate in UM 2273.

Sincerely,

/s/ Caroline A. Cilek

Caroline A. Cilek
Staff Attorney, Green Energy Institute at
Lewis & Clark Law School

/s/ Rose Monahan

Rose Monahan
Staff Attorney, Sierra Club

ORDER NO.
ENTERED

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2273

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON,

Investigation Into House Bill 2021
Implementation Issues.

[PROPOSED] ORDER

On June 22, 2023, the Green Energy Institute at Lewis & Clark Law School (GEI) and Sierra Club filed a letter in this docket requesting that the Commission invite the U.S. Environmental Protection Agency's ("EPA") Green Power Partnership to participate in this proceeding in order to provide any insight that the Green Power Partnership may have on Scoping Order Issue I pertaining to renewable energy certificates (RECs). GEI and Sierra Club assert that the Green Power Partnership has expertise that it could provide to the Commission concerning RECs but would require an invitation from the Commission prior to participating. GEI and Sierra Club state that the Green Power Partnership's participation will not delay this proceeding or otherwise prejudice any other party.

The Commission agrees that the Green Power Partnership's participation and insight may be useful to the Commission's resolution of Scoping Order Issue I and invites the Partnership to participate in this docket, either during the upcoming RECs workshop or by public comment, through this Order.

Dated this ____ day of June 2023, at Salem, Oregon.

John Mellgren
Administrative Law Judge