

ITEM NO. CA3

PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: April 7, 2020

REGULAR \_\_\_\_\_ CONSENT  X  EFFECTIVE DATE \_\_\_\_\_ Upon Commission Approval \_\_\_\_\_

DATE: April 5, 2020

TO: Public Utility Commission

FROM: Bryan Conway

SUBJECT: CASCADE NATURAL GAS:  
(Docket No. UG 390)  
Request a waiver of OAR 860-022-0017(1).

**STAFF RECOMMENDATION:**

Staff recommends that the Commission approve Cascade Natural Gas's (Cascade or Company) request for a waiver of OAR 860-022-0017(1). This rule requires the utility to inform customers within 15 days of filing with the Commission new or revised tariff schedules which constitute a general rate revision.

**DISCUSSION:**

Issue

Whether the Commission should approve the Company's request for a waiver of OAR 860-022-0017(1).

Applicable Rule or Law

ORS 756.040 grants broad authority to the Commission under its general power. ORS 860-022-0000(2) states, upon request or its own motion, the Commission may waive any of the division 22 rules for good cause shown. A request for waiver must be made in writing, unless otherwise allowed by the Commission.

### Analysis

In its petition, the Company states that it filed its current rate case on March 31, 2020. The anticipated customer bill impacts were not known by the company until just prior to the rate case filing. This short time window made it infeasible for it to meet planning requirement deadlines necessary to send out customers' notices via bill inserts within the 15-day requirement as outlined in OAR 860-022-0017(1).

Cascade has prepared a customer announcement which it intends to send to customers immediately, within the operational constraints of printing and mailing announcements, to its approximately 77,000 customers within its Oregon service territory. As such, the announcements may initially be received by customers outside of the 15-day requirement and well into the month of May 2020. Cascade's unique geographically-challenged service territory makes using bill insert notification far more economical for the Company, and ultimately, customers.

Staff notes that Cascade's request stated its petition was filed under the provisions of ORS 756.040 and in accordance with OAR 860-021-0005. Since the Company is requesting a waiver of a Division 22 rule, it should have requested relief pursuant to OAR 860-022-0000(2). The intent of the request is clearly for a waiver of OAR 860-022-0017(1), so the Commission can interpret Cascades filing under OAR 860-022-0000(2), or on its own motion, use OAR 860-022-0000(2) and waive the provisions of the rule listed by the Company.

### Conclusion

Staff concludes that the Company's tariff modification request is warranted, is in the best interest of customers, and should be granted with less than statutory notice.

### **PROPOSED COMMISSION MOTION:**

Approve Cascade Natural Gas's request for a waiver of OAR 860-022-0017(1).