

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: May 22, 2018

REGULAR CONSENT EFFECTIVE DATE _____ N/A _____

DATE: May 15, 2018

TO: Public Utility Commission

FROM: Thomas Familia ^{TF}

THROUGH: Jason Eisdorfer ^J and JP Batmale ^{JPB}

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 1020) Request to extend the deadline to submit the Portfolio Options Committee's annual recommendations.

STAFF RECOMMENDATION:

Staff recommends that the Commission extend the deadline to submit the Portfolio Options Committee's (POC) annual recommendations from July 1, 2018 until July 31, 2018, by granting a waiver of the July 1 deadline in OAR 860-038-0220(3).

DISCUSSION:

Issue

Whether the Commission should approve Staff's request to extend the deadline to submit the POC's annual recommendations from July 1, 2018 until July 31, 2018, by granting a waiver of the July 1 deadline in OAR 860-038-0220(3).

Applicable Rule or Law

ORS 757.603 requires electric utilities to provide a portfolio of rate options to residential customers (Portfolio Options). OAR Chapter 860, Division 38 outlines the provision of the Portfolio Options, including the formation of an advisory committee to make recommendations about the Portfolio Options to the Commission (the POC).¹

¹ OAR 860-038-0005(2) specifies that the POC consist of a group appointed by the Commission that includes representatives of Commission staff, Oregon Department of Energy, electric companies, residential and small nonresidential customers, local governments, and public or regional interest groups.

OAR 860-038-0220(3) requires the POC to submit recommended Portfolio Options to the Commission by July 1 of each year.

OAR 860-038-0001(4) allows the Commission to waive any rule in Division 38 of its rules upon a showing of "good cause."

Analysis

Background

The POC was scheduled to discuss and vote on its annual recommendations to the Commission at its May 2, 2018 Public Meeting. After the vote, the POC's recommendations were to be memorialized in a memo from the POC Chair to OPUC Staff. OPUC Staff were to present these recommendations to the Commission at the June 19, 2018 a Public Meeting, which is the last Public Meeting prior to July 1.

Due to an oversight regarding the noticing of the POC public meeting on May 2, 2018, the POC meeting was rescheduled for May 25, 2018. This schedule change will not provide adequate time to develop and then present the POC's recommendations to the Commission prior to July 1, 2018. Staff has consulted with the members of the POC and finds that a 30-day extension would allow the POC enough time to develop and then to present its annual recommendations to the Commission at the Public Meeting on July 31, 2018. All POC members were consulted about an extension request on May 4, 2018, and no members expressed concern.

Conclusion

Due to the need for additional dialog, as well as scheduling difficulties, there is good cause for the Committee's inability to meet the July 1 date. Staff, in consultation with the POC, requests that the Commission provide a partial waiver of 860-038-0220(3) under OAR 860-038-0001(4) and allow a deadline extension for submitting POC recommendations until July 31, 2018.

PROPOSED COMMISSION MOTION:

Approve the deadline extension to submit the Portfolio Options Committee's (POC) annual recommendations from Committee staff from July 1, 2018 until July 31, 2018.