

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 416

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY

Request for a General Rate Revision; and
2024 Annual Power Cost Update

RULING

DISPOSITION: MOTION FOR WAIVER GRANTED

Portland General Electric Company filed its request for a general rate revision on February 15, 2023. A public comment hearing was held on May 3, 2023. On May 18, 2023, PGE filed a declaration and affidavits regarding its notice to customers pursuant to OAR 860-022-0017. In its filing, PGE indicated that it published display advertisements in The Oregonian and The Salem Statesman Journal on May 5, 2023.

On May 23, 2023, I issued a memorandum requesting that PGE provide further detail regarding the notice provided to customers and the company’s compliance with OAR 860-022-0017. PGE provided its response on May 31, 2023. No party filed a reply.

In its response, PGE states that in addition to the advertisements published on May 5, 2023, the company took multiple steps on February 15 and 16, 2023, to inform customers of the rate revision request. PGE explains that it informed customers of its rate revision filing through updates to the company’s website, including a FAQ section on its website in both English and Spanish. PGE explains that its communications team conducted 75 individual touchpoint efforts with cities, counties, TriMet, and the Portland Business Alliance and communicated directly with local media sources resulting in published articles and local television station coverage ahead of the public comment hearing. PGE provided samples of this coverage from The Portland Business Journal, KGW, KATU, OPB, and the Salem Statesman Journal as attachments to its filing. Further, PGE reports that between the filing of its rate revision request and the public comment hearing the company received 469 calls regarding the rate revision request, and notes that in the company’s prior general rate case the company’s call center received approximately 241 calls during the same period.

PGE states that while the company published notices in The Oregonian and the Salem Statesmen Journal otherwise consistent with the requirements of OAR 860-022-0017(2)(a), due to an oversight these notices were not published within the 15-day period required by rule. PGE asserts that a waiver is appropriate because the company provided timely notice to customers via multiple channels prior to the public comment hearing at a level comparable to that intended under the rule. Additionally, PGE contends that although the advertisements were published after the public comment hearing, they were published prior to the end of the public comment period on May 31, 2023. PGE argues that customers received notice at a level consistent with that intended under the Commission's rules, but that the public comment period could be extended to June 25, 2023. PGE contends that this extension would allow time for parties to review and address any additional comments prior to the filing of reply testimony.

OAR 860-022-0017(6) provides that the Commission may waive the notice requirements upon a showing by the utility that the required notice has been given and additional notice would be duplicative, confusing to customers, and burdensome to the utility. I find that PGE has provided notice substantially complying with OAR 860-022-0017(2) and additional notice would be duplicative, confusing to customers, and burdensome to the utility. In particular, I find the level of outreach and media coverage that occurred prior to the public comment hearing to have provided customers with notice consistent with the notice required under the applicable rule. Additionally, I view the increase in customer response as compared to the company's prior general rate case an indication of the success of these outreach methods. Accordingly, I find good cause to grant PGE's waiver request.

I see no harm in a further extension of the public comment deadline to 3:00 p.m. on June 25, 2023, to increase the opportunity for public comments that may be addressed in the parties' testimony. Please note that public comments submitted after that date will still be docketed and included in the administrative record of this proceeding.

Finally, I note that PGE's proof of notice filing, which addressed only the advertisements published on May 5, 2023, clearly failed to satisfy the applicable requirements and did not include a request for a waiver. I expect PGE to be more proactive in addressing such circumstances and requesting a waiver in the future.

Dated this 7th day of June, 2023, at Salem, Oregon.



Alison Lackey
Administrative Law Judge