

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 2114, UG 435 & UG 411 and UE 394

In the Matters of

PUBLIC UTILITY COMMISSION OF  
OREGON,

Investigation into the Effects of the COVID-  
19 Pandemic on Utility Customers  
(UM 2114);

NORTHWEST NATURAL GAS  
COMPANY, dba NW NATURAL,

Request for General Rate Revision  
(UG 435),

Advice 20-19, Schedule 198 Renewable  
Natural Gas Recovery Mechanism  
(ADV 1215) (UG 411); and

PORTLAND GENERAL ELECTRIC  
COMPANY,

Request for a General Rate Revision  
(UE 394).

BENCH REQUEST

The Commission is currently reviewing three intervenor funding related filings on behalf of the Small Business Utility Advocates (SBUA). Consistent with the filed budgets in these requests, SBUA represents that its budget for activity in UM 2114 will total \$21,400, with SBUA funding 20 percent of these expenditures at \$4,280; that its budget for activity in UG 435 and UG 411 is \$39,300, with SBUA funding 20 percent of these expenditures at \$7,860; and that its budget for activity in UE 394 is \$22,970, with SBUA funding 20 percent of these expenditures at \$4,594. In total, SBUA purports to fund \$16,734 of the three total budgets, which amount to \$83,670.

Given the Commission's latest understanding of SBUA's financial status, which was most recently examined as part of the case certification review in UE 352, and shortly thereafter in

UE 374, I request SBUA provide more detail and information regarding its filed budgets and its financial status as part of the review process for the submissions in UM 2114, UG 435 and UG 411, and UE 394. In UE 352, the Commission reviewed confidential financial information submitted by SBUA. The Commission ultimately denied SBUA's case certification request, in part because it found that "SBUA's submitted financial information, at this time, does not demonstrate a significant capacity from members to contribute to its operations to participate in our proceedings."<sup>1</sup> The Commission further explained, in an order denying reconsideration that SBUA's financial statement "did not make clear that SBUA has or had the capacity to use matching funds or in-house resources to account for or pay at least 20 percent of eligible expenses for its proposed case budget."<sup>2</sup>

The Commission provided the following guidance to SBUA in 2019 regarding future applications for case certification:

First, though not formally required, we recommend that SBUA develop annual financial statements that conform to traditional non-profit accounting standards. It is difficult to understand and interpret financial statements that are not clear or that are missing important information and context. Statements developed consistent with Financial Accounting Standards Board requirements, for example, would be much easier to understand than informal and vague statements. Second, where the question at issue is the capacity of members to contribute to the organization, the financial statements should clearly indicate the source of various revenues. Third, the financial statements should indicate an overall financial capacity that can meet, at a minimum, the 20 percent requirement for an individual case budget. When reviewing a case certification request, if we are presented with a financial statement that indicates financial capacity that cannot meet the 20 percent requirement of a proposed budget, then a finding that OAR 860-001-0120(4)(d) has not been satisfied is inevitable.<sup>3</sup>

Consistent with the Commission's emphasis regarding review of case certification budgets, I issue the following request for information from SBUA.

To assist the Commission in the review of its request for case certification, SBUA is directed to provide the following information to the Commission by Friday, February 25, 2021:

1. Most recent year audited financials. If audited financials are not available, then a financial statement of current income and expenses may be provided and attested to by an officer or board member of SBUA. Sources of income should be identified.
2. A breakdown of information in SBUA's UE 394 proposed budget showing the amount of time spent by attorney, associate attorney, and expert witness, on filed testimony and

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<sup>1</sup> *In the Matter of PacifiCorp, dba Pacific Power, 2019 Renewable Adjustment Clause*, Docket No. UE 352, Order No. 19-133 at 5 (Apr 15, 2019).

<sup>2</sup> *In the Matter of PacifiCorp, dba Pacific Power, 2019 Renewable Adjustment Clause*, Docket No. UE 352, Order No. 19-262 at 3 (Aug 8, 2019).

<sup>3</sup> *Id.*

briefs, and clarification as to whether or not the funds requested in that docket are intended to recover costs associated with these filings.

3. An explanation in greater detail of what future activity in docket UM 2114 SBUA anticipates will necessitate 66 hours of expert witness time, 35 hours of time from attorneys, and 52 hours of activity from other organization representatives. Additionally, please clarify the following line item: “Small business sector expertise, 20 hours.”
4. Clarification of the following line item in SBUA’s proposed budget for UG 435 and UG 411: “Small business sector expertise, 20 hours.” Additionally, please explain why this line item is for \$150 per hour in the UG 435 and UG 411 budget, while a corresponding line item in SBUA’s budget in UM 2114 is for \$100 dollars per hour.
5. SBUA’s most recent membership list, with corresponding information on the utilities from which these members are receiving utility service.
6. Clarification of whether SBUA intends to utilize any funding to recover costs incurred for work already completed in all three proposed budgets.
7. Clarification in the UM 2114 proposed budget on how the budget would be allocated across different utilities.

The financial and membership information in SBUA’s response will be treated as confidential, and will not be disclosed on the website, or to other parties. SBUA may email scanned documents to Diane Davis at [Diane.DAVIS@puc.oregon.gov](mailto:Diane.DAVIS@puc.oregon.gov). Documents designated as confidential may be faxed to Diane Davis at (503) 378-6163 or sent in a password protected zip file to Diane Davis by email, with the password being sent in a separate email to Diane.

Dated this 16th day of February, 2022 at Salem, Oregon.



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Nolan Moser  
Chief Administrative Law Judge