

**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.

MEMORANDUM

On May 27, 2025, ALJ Grant issued a memorandum soliciting comments on a draft order and hypothetical scenario in these proceedings. The parties submitted initial comments on August 12, 2025, and a Commissioner Workshop was held on August 26. In their reply comments, due September 11, 2025, the parties are particularly requested to address the following questions:

1. Does ORS 469A.445 call for the Commission to issue an exemption that prevents a utility's projected obligatory compliance costs from reaching 6% of its projected revenue requirement for a year, or that relieves the utility from further compliance obligations once its projected compliance costs have reached or exceeded 6% of its projected revenue requirement for that year?
2. Recognizing that no forecast is perfect and that any increase in the level of detail required to support a section 10 determination comes at the expense of more lengthy proceedings, what evidence would be appropriate in a section 10 proceeding with respect to (a) costs that have already been incurred and (b) new expenditures?
3. How should the Commission address power costs, which often represent roughly 50% of the annual revenue requirement, in developing projected annual revenue requirements for use as the denominator of the cost cap calculation?
4. In light of the opportunity for significant complexity when determining the numerator and denominator, should the Commission adopt simplifying

assumptions to make timely section 10 determinations more feasible?  
Which elements of the calculation could benefit from simplifying assumptions while allowing the Commission to effectively achieve the balance between climate goals and affordability articulated in the legislation?

5. Parties have proposed starting section 10 proceedings at various points in the planning and procurement process. Please provide an illustrative timeline for how an IRP/CEP, RFP, and section 10 proceeding would best align.

Dated: September 2, 2025



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Katharine Mapes  
Administrative Law Judge