BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

UE 470

In the Matter of PACIFICORP, d/b/a PACIFIC POWER, Request for a General Rate Revision	CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION'S MOTION TO DETERMINE PROCEEDING IS A JUSTICE FUNDING CASE FUND GRANT ELIGIBLE PROCEEDING

Pursuant to ORS 757.072, OAR 860-001-0800 through OAR 860-001-0900 ("Justice Funding Grant Rules" or "JFG Rules"), and the Environmental Justice Communities Funding Agreement approved by the Public Utility Commission of Oregon ("Commission") in Order 25-409 (October 10, 2025) ("EJCFA"), the Confederated Tribes of the Umatilla Indian Reservation ("CTUIR") hereby respectfully moves the Commission for a determination that the above-captioned proceeding ("UE 470") satisfies the requirements of OAR 860-001-0830 and to designate UE 470 as an "Eligible Proceeding" for purposes of awarding a Justice Funding Case Fund grant to the CTUIR.

In support of its motion, the CTUIR states the following:

1. On May 5, 2026, PacifiCorp, dba Pacific Power ("PacifiCorp") initiated UE 470 by filing more than 1650 pages of revised rate schedules/tariffs and testimony it believes supports its request for an across-the-board increase in the rates charged to all of its Oregon customers. According to PacifiCorp's Case Summary, if approved as filed, PacifiCorp's proposal will result in an overall increase in rates of approximately $170.7 million or 8.6 percent above what it receives under its currently authorized tariffs.

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2. Section 6.2 of the EJCFA provides that a request for a Justice Funding Case Fund grant may only be made in connection with participation in an "Eligible Proceeding". OAR 860-001-0810(5) and OAR 860-001-0830, and their counterparts in Article 1 and Section 6.2 of the EJCFA, define "Eligible Proceeding" to include, among other things, "proceedings before the Commission that affect a *Participating Public Utility*, its customers and *its Environmental Justice Communities* including, but not limited to: . . . *contested case proceedings such as rate cases* . . ." (emphasis added).

3. PacifiCorp is one of the six entities designated a "Participating Public Utility" for purposes of the JFG Rules and EJCFA.[1]

4. The Commission has acknowledged the entirety of the Umatilla Indian Reservation ("UIR") constitutes a distinct "Environmental Justice Community" for purposes of eligibility for a Justice Funding Case Fund grant award.[2]

5. Although docketed as a "Request for a General Rate Revision", UE 470 is a contested case proceeding that is the functional equivalent of a general rate case. As noted in paragraph 1 above, the magnitude and breadth of PacifiCorp's proposal could substantially affect PacifiCorp's ongoing viability and the revenue it collects from customers located on the UIR.

[1] OAR 860-001-0810(10) and Article 1 of the EJCFA.

[2] *See* OAR 860-001-0810(8) (stating that for purposes of Justice Funding Grant awards the term "Environmental Justice Community or Communities" includes communities of color, communities experiencing lower incomes, tribal communities, rural communities, coastal communities, communities with limited infrastructure, and other communities traditionally underrepresented in public processes and adversely harmed by environmental and health hazards, including but not limited to seniors, youth, and persons with disabilities); *See also, In re PacifiCorp, dba Pacific Power, 2025 Integrated Resource Plan and Clean Energy Plan,* Docket LC 85, Order 25-401, (Oct. 7, 2025) (determining the UIR qualified as an EJC for purposes of awarding the CTUIR a Justice Funding Case Fund grant to be used to participate in Docket LC 85 (PacifiCorp 2025 IRP/CEP); see also *In re Cascade Natural Gas Corporation Request for a General Rate Revision*, Docket UG 525, Order 26-003, (Jan. 5, 2026) (determining the UIR qualified as an EJC for purposes of awarding the CTUIR a Justice Funding Case Fund grant to be used to participate in Docket UG 525 (2026 Cascade Natural Gas General Rate Revision).

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4. Since UE 470 will directly affect the rates a Participating Public Utility may charge and collect, and could substantially affect the charges paid by PacifiCorp customers located within the Environmental Justice Community within the UIR, UE 470 qualifies as an Eligible Proceeding under OAR 860-001-0810(5), 860-001-0830, and EJCFA §§ 6.2.

WHEREFORE, the CTUIR respectfully moves the Commission for an order designating UE 470 as an "Eligible Proceeding" for purposes of Justice Funding Case Fund grant award eligibility.

Dated: May 28, 2026.

Respectfully submitted,

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