

April 27, 2021

VIA ELECTRONIC FILING

Public Utility Commission of Oregon
Attention: Filing Center
201 High Street SE, Suite 100
Salem, Oregon 97308-1088

RE: AR 641 – Division 001 Rule Updates—NW Natural’s Comments on NIPPC’s Proposed Redlines

Northwest Natural Gas Company, dba NW Natural (NW Natural or Company), appreciates the opportunity to comment on Northwest & Intermountain Power Producers Coalition’s (NIPPC) proposed redlines to OAR 860-001-0070 and OAR 860-001-0170.

NIPPC states that its redlines are designed to reflect Public Utility Commission of Oregon (“Commission”) policy in request for proposal proceedings. These proceedings appear to be limited to electric companies’ resource procurement process. Given this, NW Natural recommends that this issue be addressed in division 89 of the OAR, which addresses the resource procurement process for electric companies and defines the term “request for proposal” (OAR 860-089-0020(8)). The meaning of “request for proposals” is unclear in the context of OAR 860-001-0070 and OAR 860-001-0170, and it appears to be a relatively narrow issue for a specific type of proceeding, whereas OAR 860-001-0070 and OAR 860-001-0170 are generally applicable.

Alternatively, if this issue is addressed in OAR 860-001-0070 and OAR 860-001-0170, NW Natural recommends editing NIPPC’s language to clarify what is meant by “requests for proposals” (edits in red):

OAR 860-001-0070, Confidential Information

(5) The Commission recognizes the importance of allowing stakeholders to participate and access confidential information to further the public interest. In the event of a Request for Proposal **under OAR 860, Division 89**, nonbidders may: (a) access confidential information by signing the appropriate protective order, if any, and (b) participate in shortlist acknowledgement to voice concerns while the Commission is actively considering the shortlist, rather than affect the bidding has completed.

OAR 860-001-0170, Filing Requirements in Contested Case and Declaratory Ruling Proceedings

f) A document may contain highly confidential material. Persons qualified to access highly confidential material in the case of a request for proposal **under OAR 860, Division 89** shall include: (a) an employee or counsel of the Regulatory Division at the Oregon Citizens' Utility Board; and (b) persons that are not involved in the utility's ongoing solicitation process as bidders, including persons who represent or advise bidders on unrelated matters.

These edits are designed to clarify what is meant by "request for proposal." If a different meaning is intended, NW Natural would appreciate the opportunity to discuss this issue further.

NW Natural looks forward to continue working with the Commission and other stakeholders in updating the Division 001 Rules. If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Zachary Kravitz

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