

HB 2475 Intervenor Funding FAQ's

What is Intervenor Funding?

- The Oregon Public Utility Commission (Commission) is responsible for ensuring Oregon utility customers have access to safe, reliable, and high-quality utility services at just and reasonable rates. New legislation has made funding available to qualified groups who require financial assistance to participate in the Commission's processes. This funding is provided by Oregon utilities and is available to qualified organizations (see "Eligible Recipients" below) who represent low income residential customers or environmental justice communities.

Who is Intervenor Funding available to?

- Intervenor Funding grants are available to any organization who qualifies as an "Eligible Recipient." An organization is determined to be an "Eligible Recipient" if the organization has demonstrated in its petition that it qualifies under [Oregon House Bill 2475](#) and represents the interests of residential customers of the applicable utility. For HB2475 Intervenor Funding, organizations must show they represent the interests of low-income residential customers, and/or the interests of residential customers that are members of environmental justice communities. HB 2475 defines environmental justice communities as "Environmental justice 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."

I believe my organization qualifies as an Eligible Recipient; how do we apply?

- Oregon utilities and the Commission have agreed to utilize the [Commission Approved Form of Interim Funding Agreement](#), which simplifies the process for intervenors to receive funding, before a final intervenor funding agreement and rules are finalized and adopted later in 2022. This agreement constitutes a contract between the utility and individual intervenors, and is administered by the Commission. The application process also requires any intervenors requesting funding grants to submit a petition to intervene if intervening in a contested case. If seeking funding in an undocketed process or non-contested case, intervenors are required to submit a notice to participate. The Commission will then review the petition or notice and issue a decision on the eligibility of the group to receive funding. Please see [ORS 183.310\(2\)](#) for details on the distinction between contested and uncontested cases. [View the Low Income and Environmental Justice Community Intervenor Funding details online](#) and view the links to help you file.

Is HB 2475 Intervenor Funding available for all Commission dockets?

- Intervenor funding is available in non-complaint contested cases, rulemakings, and non-contested dockets that affect the applicable utility, and its low-income residential customers and environmental justice communities. Additionally, named, non-docketed Commission led processes addressing issues that affect the applicable utility and its low-income residential customers and environmental justice communities will be eligible under the agreements. Participation in Integrated Resource Plan dockets will also be eligible for funding.

What is the timeline for payment of Intervenor Funding grants?

- After your organization has qualified as an Eligible Recipient and appropriately intervened in the specific docket, your organization must next submit a proposed budget (see further explanation below). The [Commission Approved Form of Interim Funding Agreement](#) outlines the procedure for development and submission of all proposed budgets for the work of an eligible organization to the given utility and Commission.
- Once your organization has submitted a proposed budget and the budget has been approved, to receive payment of funds, your organization must submit a Request for Payment to the Commission with a copy sent to the Utility. The request may be made at any time during this Proceeding but no later than 60 days after the Commission's final order is issued. The Commission will to the best of their ability process the request for payment within 30 days of receipt of the request. The utility then has 30 days from the receipt of the notice of approval from the Commission to disburse the funds. Your organization may submit Requests for Partial Payment during the proceeding ([example here](#)) as well as Requests for Final Payment ([example here](#)).

What needs to be included in my proposed budget?

- Your organization's proposed budget ([example here](#)) must contain a statement of the work to be performed by recipient, a description of the areas to be investigated and addressed by recipient. Your budget should include any potential estimated attorney fees, which can include support staff and operational support. You may also include any estimated consultant fees and expert witness fees. Ultimately, the will review and approve budgets, consistent with these agreements. The agreements include criteria for Commission review of budget.

Who do I contact to start the intervenor funding process?

- For questions, please contact Nolan Moser, Chief Administrative Law Judge, at 503-689-3622 and nolan.moser@puc.oregon.gov.

How do I decide when to intervene?

- The decision to intervene will be unique to each Intervenor group, however, if you do decide to intervene in a docket and seek funding, you must request to be designated an eligible group, and request that the proceeding you are participating in is deemed eligible.