



August 17, 2020

SBUA Comments for COVID - 19 Workshops

SBUA appreciates the attention the Oregon Public Utility Commission (“Commission”) is giving to the impacts of COVID-19 on utility customers to explore recovery from the pandemic.

Small business in many respects are more like residential users than large commercial or industrial users. The small commercial utility customers consume less energy than large commercial customers, and many consume possibly slightly above the residential usage. Small commercial customers are operations with a smaller profit margin large usage classes with deeper pockets. Small commercial customers have been hard hit by COVID-19 since their operations have probably been shut down and have had to rely on opportunities to do internet sales where feasible. Many small businesses have been shut down and when they are or were allowed to reopen, it is at reduced capacity. Clearly they need to have allowances given to them on late payment arrangements to the utilities that serve them.

Key comments and considerations SBUA offers are the following:

- Commission data regarding impact on small commercial customers is lacking, and data for these customers may be dynamic for a while where many small businesses are closing and also business practices are shifting from need or efficiency to other venues or practices that reduce or change energy consumption, creating opportunities for better energy practices, too.
- Small business are much like residential and low income customers as a result of COVID 19 and small business customers should be given parity in what ever regulatory mechanisms and deferrals the Commission gives regarding the residential customer class.
- Repayment periods should be at the maximum time frame, since small business customers have been severely impacted by the shut downs.
- Bad debt forgiveness programs should be rate based, the companies and consequently customers will pay less overall if much of the debt is socialized. Small commercial customers should be included in any waiver or forgiveness of bad debt.
- Small commercial does have some concerns distinct from residential that include proprietary business information that needs protection when considering data sharing,
- And small business has another consideration of relief that includes participating in work availability through contracting with utilities and the utilities’ contractors.
- Information from other jurisdiction can be helpful in Oregon but still through the lens of the small commercial customer.

Re available data:

There is a large impact on small business and small commercial, but it is not measured, and may not be able to be measured well for some time. For this reason any solution regarding these customers should extend out in time as the challenge will be long lived.

There is a huge impact on small business from the pandemic. Many organizations, government and private, have been focusing on the impact of COVID-19 on small business. For Oregon, one report estimated that estimated loss of 10% Portland metro, 30% rural Oregon small business due to COVID-19.¹

As the pandemic continues the losses cannot be measured completely, and this is especially true where data regarding impact on small commercial customers in Oregon is not yet known, or not included among the data gathered and posted on the OPUC's COVID webpage: <https://www.oregon.gov/puc/utilities/Pages/COVID-19-Impacts.aspx>. Most Commission COVID workshop posted information, though not all, has focused on residential customers including low income residential. Some workshop dialogue has, however, included references to large impact on small commercial customers.

SBUA appreciates that in Oregon there is an across the board suspension of small commercial disconnects, and efforts by utilities to reach out to small business customers with various other options are appreciated, and these should be continued for a while.

While data is helpful there should be some exploration of the issue of sharing proprietary information or lists of small business customers to the COVID stakeholder group, to ensure appropriate protective measures are in place re information re specific accounts.

Re other jurisdictions information:

There are some lessons being learned from other jurisdictions that are instructive where these jurisdictions may impact the dialogue and decisions in this Commission regarding small commercial customers.

While there is a lack of data re the small commercial customer, there is information through the federal transcript includes a statement that "it's fair to say that there's been a meaningful and increasing amount of delinquent customer accounts, less so on a residential level, more so on industrial and commercial."

A review of and contact with participants of Illinois Commerce Commission ("ICC") matter confirms that small commercial were not represented in those proceedings, ICC Docket No.

¹ Energy Trust of Oregon Conservation Advisory Council ("CAC") April 2020.

20-0309.² Any solution or tool borrowed from the ICC example would need to be reviewed through that lens of the small nonresidential customer too.

Re economic opportunity:

While it has been previously outside the scope of the Commission’s concerns, other forms of relief may be appropriate for some discussion now in the Commission given increased emphasis on equity in Oregon’s state government. Perhaps it is appropriate to measure participation of CO-BID firms and/or utility project dollars going to COBID firms where the virus has been found to impact minorities more heavily.

Other federal transcript information available at the Commission COVID page indicates utilities articulating economic relief in the form of work provided to small business, as shown in the example: “Throughout this time, we have been able to support local businesses, such as hotels and restaurants and emergency medical services through our gas control sequestration, construction and maintenance projects. Many of these small business owners have expressed their gratitude and emphasized that without our ongoing work, they would have had to furlough most, if not all, of their employees.”³

A survey response noted—“Since LIHEAP is for residential customers, it would be great if utilities could work on figuring out how to help the small businesses in their areas be able to try to keep afloat during this time.”

Conclusion:

In June 16, 2020 Testimony by Jackie Roberts (“Roberts”), West Virginia Consumer Advocate President, National Association of State Utility Consumer Advocates (NASUCA).⁴ Roberts describes the image of the salon worker whose employer’s business was closed due to COVID. SBUA would include with this an image of a small commercial customer in Portland, Oregon, June 2020: closed due to COVID orders, and doors and windows boarded up for a large part of the Summer. Thank you for considering small commercial in these proceedings.

For more information please contact:

Diane Henkels
Attorney, Small Business Utility Advocates
541-270-6001 / utilityadvocates.org

² Service list of the ICC <https://www.icc.illinois.gov/docket/P2020-0309/service-list>

³ Impacts of COVID-19 on the Energy Industry - July 8, 2020 202-347-3700 Ace-Federal Reporters, Inc. 866-928-6509 Page 23

⁴ <https://www.nasuca.org/nwp/wp-content/uploads/2020/06/Roberts-Testimony-Senate-ENR-Committee-6-16-20.pdf> (Last accessed 8/17/20)