

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

Complainant,

v.

PACIFICORP dba

PACIFIC POWER & LIGHT COMPANY

Respondent.

DOCKET NOS. UE-230172 AND UE-210852
(Consolidated)

**CROSS-ANSWERING TESTIMONY OF
CHARLEE THOMPSON**

**ON BEHALF OF
NW ENERGY COALITION**

October 27, 2023

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1 **I. INTRODUCTION**

2 **Q. Please state your name and business address.**

3 **A.** My name is Charlee Isabella Thompson, and I am a Policy Associate at the NW
4 Energy Coalition (“NWECC” or the “Coalition”). My business address is 811 1st Ave.,
5 Suite 305, Seattle, WA 98104.

6 **Q. Are you the same Charlee Thompson who previously filed opening testimony on**
7 **behalf of NWECC in this docket?**

8 **A.** Yes.

9 **Q. On whose behalf are you providing this cross-answering testimony?**

10 **A.** NWECC.

11 **Q. What is the purpose of this cross-answering testimony?**

12 **A.** My testimony supports the recommendations made by witness Shaylee Stokes of The
13 Energy Project (“TEP”) on several low-income issues. Affordability and equity are
14 pillars of NWECC’s advocacy and are fundamental to our mission of a clean, affordable,
15 and equitable energy future. NWECC believes TEP’s recommendations will facilitate
16 that vision and provide benefits to Pacific Power’s customers.

17 **Q. Would you please summarize your background as it relates to low-income**
18 **programs?**

19 **A.** As a Policy Associate with NWECC, I serve on PacifiCorp’s dba Pacific Power & Light
20 Company (“Pacific Power” or the “Company”) Low-Income Advisory Committee
21 (“LIACC”) as well as the LIACCs of Pacific Power’s four peer investor-owned electric
22 and gas utilities regulated by the UTC. Since July of 2022, I have helped to develop
23 the new bill discount rate (“BDR”) programs of Puget Sound Energy (“PSE”), Avista

1 Corporation (“Avista”), and Cascade Natural Gas Corporation (“CNG”) as well as the
2 arrearage management programs (“AMP”) of Avista and CNG.

3 In addition, I sit on the Washington State Department of Commerce Technical
4 Advisory Group that advises the state on the development of its low-income energy
5 assistance biennial report. There, I have recently advocated for a low-income track in
6 PSE’s targeted electrification pilot.

7 In my previous role with The Energy Project (“TEP”), I advocated for low-
8 income utility customer interests in Clean Energy Implementation Plans and supported
9 the development of TEP’s policy positions in rulemakings in dockets U-200281 and U-
10 210800.

11 **Q. Please summarize your testimony.**

12 **A.** In my testimony, I highlight and affirm witness Stokes’ recommendations for Pacific
13 Power’s existing BDR program, a future AMP program, disconnection policy, credit
14 reporting policy, a language access plan, a community-based organization outreach
15 program, and low-income weatherization programs. After each set of
16 recommendations, I explain why NWEA is supportive. In summary, each
17 recommendation that witness Stokes makes will help address high energy burden, the
18 gap in energy assistance need and provision, and the racial disparities that have never
19 been addressed in utility billing, assistance, collections, and outreach. As a result, her
20 recommendations, in practice, would better serve the Company’s customers and will
21 further establish Northwest utilities as leaders in clean and affordable energy service.

1 **II. RESPONSE TO TESTIMONY OF WITNESS STOKES**

2 **Q. Please summarize the testimony of witness Stokes.**

3 **A. In her testimony, witness Stokes identifies concerns and provides recommendations for**
4 Pacific Power’s existing BDR program and provides additional recommendations for
5 the development of an AMP. Witness Stokes’ testimony also discusses issues related
6 to the Company’s policies and procedures for disconnecting customers due to
7 nonpayment, reporting customer information to credit bureaus, language access,
8 community-based organization outreach, low-income weatherization programs, and
9 residential rate design.¹

10 **A. Low-Income Bill Assistance**

11 **Q. What are witness Stokes’ recommendations for Pacific Power’s existing Low-**
12 **Income Bill Assistance program?**

13 **A. Witness Stokes recommends that the Washington Utilities and Transportation**
14 **Commission (the “Commission”) order that the Company work with its LIAC to**
15 **develop changes and enhancements to the existing Low-Income Bill Assistance**
16 **(“LIBA”) program. Witness Stokes says that collaboration between the Company and**
17 **LIAC should include discussion of 1) the number and design of discount tiers in LIBA,**
18 **2) enrollment procedures, including self-declaration of income and limited post-**
19 **enrollment verification, 3) enrollment terms, 4) arrearage management plan**
20 **implementation, and 5) key performance indicators.²**

¹ See SNS 1-T.

² SNS-1T at 11:20-24, 12:1-2.

1 Finally, witness Stokes recommends that the Commission order the Company
2 to make a tariff filing on the five topics listed above after consulting with the LIAC,
3 but no later than July 1, 2025. The tariff filing should include the outcome of the
4 LIAC’s discussions on the bill discount rate as well as a new arrearage management
5 plan, each with an effective date of October 1, 2025.

6 Concurrently, witness Stokes recommends that Pacific Power seek consensus
7 with its LIAC to design and implement an interim arrearage forgiveness program by
8 October 1, 2024.

9 **Q. Do you support witness Stokes’ recommendations regarding enhancements to the**
10 **low-income bill assistance program?**

11 **A.** Yes, I do. The recommendations are in line with the processes and designs that Avista,
12 PSE, and CNG have achieved for their respective bill discount rate programs. Avista
13 and PSE were each required in their most recent general rate cases to develop low-
14 income bill discount assistance programs with provisions similar to what witness
15 Stokes lays out in her testimony, which I’ve summarized above.³ The Commission has
16 also approved each of these peer utilities’ BDR programs, which are currently in their
17 first year of implementation. Pacific Power’s low-income customers should also
18 receive these benefits. Additionally, because I was directly involved in the
19 development of Avista, PSE, and CNG’s BDR programs, I believe that the timeline

³ *WUTC v. Avista Corp. d/b/a Avista Utilities*, Docket Nos. UE-220053, UG-220054, and UE-210854 (*Consolidated*), Appendix A to Order 10, Avista Settlement Stipulation at 14-15 (June 28, 2022); *WUTC v. Puget Sound Energy*, Docket Nos. UE-220066/UG-220067 and UG-210918 (*Consolidated*), Final Order Appendix A, Revenue Requirement Settlement at 21-23 (Aug. 26, 2022).

1 that witness Stokes proposes is appropriate for Pacific Power and its LIAC to develop
2 an enhanced LIBA program.

3 **B. Disconnection Policy**

4 **Q. What are witness Stokes' recommendations for Pacific Power's existing**
5 **disconnection practices?**

6 **A.** Witness Stokes provides recommendations for the scenario in which the Commission
7 decides in rulemaking docket U-210800 to allow utilities to continue to disconnect
8 residential customers for nonpayment. Her recommendations would request
9 disconnection policy reform, including:

- 10 (1) Raising the threshold for customer disconnections for nonpayment from \$50 to
11 \$300;
- 12 (2) Removing any provision from Pacific Power's internal scoring system for
13 disconnections that awards points based on previous disconnection orders;
- 14 (3) Refraining from initiating disconnections or sending disconnection notices
15 when a customer has a scheduled energy assistance appointment; and
- 16 (4) Conducting an equity review of policies and procedures for customer
17 disconnection in consultation with the LIAC and Equity Advisory Group
18 ("EAG").

19 These recommendations are consistent with our advocacy in rulemaking docket U-
20 210800. Decision-makers and policy implementers must do everything they can to stop
21 the perpetuation of racial and economic disparities and of unjust and discriminatory
22 practices that keep marginalized customers in a cycle of poverty and debt. David
23 Konisky of Indiana University's Energy Justice Lab recommended to the Commission

1 at the June 23, 2023 U-210800 workshop that “a second-best policy” to disconnections
2 “would be policies that are more protective of the most vulnerable populations”. Mr.
3 Konisky also stated that “the more protective the better, particularly to address the
4 disparities that [he] and others have been finding in [their] research”.⁴ NWECA believes
5 that witness Stokes’ four recommendations listed above are protective policies that
6 will begin to address known racial disparities identified within disconnection
7 practices.⁵ Considering the substantial Black, Indigenous, and People of Color
8 (“BIPOC”) and multilingual representation in its Washington service area, it is vital
9 for the Company to develop policies that acknowledge and proactively address the
10 racial disparities that its customers may experience.⁶

⁴ *In re WUTC Customer Notice and Fees Rulemaking*, Docket No. U-210800, June 23, 2023 Workshop Recording at 50:48, available at:

<https://wutc.box.com/s/to31rzmw472y915niavb8wm9dteayo39>.

⁵ See Shalanda Baker, Sanya Carley, and David M. Konisky, *Energy Insecurity and the Urgent Need for Utility Disconnection Protections*, 159 *Energy Policy* 112663 (Dec. 2021), <https://www.sciencedirect.com/science/article/abs/pii/S0301421521005280>; see also Michelle Graff, Sanya Carley, David M. Konisky, and Trevor Memmott, *Which Households are Energy Insecure? An Empirical Analysis of Race, Housing Conditions, and Energy Burdens in the United States*, *Energy Research & Social Science* 102144 (Sept. 2021),

<https://www.sciencedirect.com/science/article/abs/pii/S2214629621002371> (full text available at:

<https://par.nsf.gov/servlets/purl/10354767#:~:text=Empirically%2C%20we%20find%20that%20Black,likely%20to%20be%20energy%20insecure.>); see also Trevor

Memmott, Sanya Carley, Michelle Graff, and David M. Konisky, *Sociodemographic Disparities in Energy Insecurity among Low-income Households Before and During the COVID-19 Pandemic*, 6 *Nature Energy* 186 (Jan. 18, 2021),

<https://www.nature.com/articles/s41560-020-00763-9>.

⁶ As of September 8, 2021, 43% of Pacific Power customers identify as Hispanic or Latino compared to the 13% of Washingtonians that identify as Hispanic or Latino. *Public Meeting #1 / Reunión Pública #1 Washington Clean Energy Transformation Act*, PacifiCorp at slide 7 (Sept. 8, 2021),

<https://www.pacificorp.com/content/dam/pcorp/documents/en/pacificorp/energy/ceip/P>

1 **Q. Do you support witness Stokes’ recommendations regarding disconnection**
2 **practices?**

3 **A.** Yes. Recommendation (1) requesting that the disconnection threshold be raised from
4 \$50 to \$300 is appropriate given that several of Pacific Power’s peer utilities have a
5 threshold higher than \$50. I also agree with witness Stokes that without the reform in
6 recommendation (2), Pacific Power’s current scoring system for disconnections, as
7 described in her testimony,⁷ will increase the probability that the customers at risk of
8 disconnection will be inevitably stuck in the “vicious cycle where previous
9 disconnections place customers at higher risks of being disconnected again.”⁸ This
10 Commission should not allow the Company to use a scoring system that does not
11 consider equity in its design and impacts. Regarding recommendation (3), I reiterate
12 that, unlike Avista, PSE, and CNG, Pacific Power continues to disconnect customers
13 and send disconnection notices to customers who have scheduled an appointment to
14 receive energy assistance. This practice is unjust, and the Commission should require
15 that the Company align its practice with the three peer utilities. Finally, I believe that
16 if the Commission chooses to continue disconnections for nonpayment in U-210800,
17 recommendation (4) is a necessary action in order to allow the Company’s LIAC and
18 EAG to provide feedback on the equity impacts of the disconnection practices and to
19 hold the Company accountable in addressing the LIAC and EAG’s suggestions.

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[ublic Meeting 1 Slides.pdf](#); *In re PacifiCorp CEIP*, Docket No. UE-210829, Pacific Power Revised Final 2021 CEIP at 33-34 (Mar. 13, 2023).

⁷ SNS-1T at 15:1-16, 16:1-3.

⁸ SNS-1T at 16:19-20.

1 **C. Credit Reporting Policy**

2 **Q. What are witness Stokes’ recommendations for Pacific Power’s existing credit**
3 **reporting practices?**

4 **A.** Witness Stokes recommends that the Commission order the Company to no longer
5 report its customers’ information to credit bureaus and to prohibit its collection agency
6 contractors from reporting customers’ information to credit bureaus.

7 **Q. Do you support witness Stokes’ recommendations regarding credit reporting**
8 **practices?**

9 **A.** Yes. According to witness Stokes, at least three of Pacific Power’s peer utilities do not
10 report customer information to credit bureaus.⁹ Pacific Power, on the other hand,
11 continues to allow collection agencies to report customer information to credit
12 bureaus. Reporting credit information can disproportionately harm low-income and
13 BIPOC customers who, as TEP has pointed out, “are more likely to have low credit
14 scores or insufficient credit histories.”¹⁰ The impact of credit reporting practices within
15 these communities extends beyond energy and utilities. When unjust credit reporting
16 harms vulnerable communities, it may also make affordable and safe housing for
17 themselves and their families unobtainable. By allowing for this practice to continue
18 systemic discrimination and racial disparities are perpetuated. The recommendations
19 of TEP will align Pacific Power’s practice with its peer utilities to help ensure an anti-
20 racist and more fair access to essential utility service and affordable housing.

21

⁹ SNS-1T at 20:11-13.

¹⁰ SNS-1T at 20:3-4.

1 **D. Language Access Plan**

2 **Q. What are witness Stokes' recommendations for a language access plan?**

3 **A.** Witness Stokes recommends that the Commission order Pacific Power to develop a
4 language access plan in consultation with its LIAC, and that the language access plan
5 follow the process outlined below:

6 (1) Develop a draft language access plan and share the draft with the LIAC and
7 EAG within six months of the Commission's final order in this proceeding.

8 (2) Convene at least one joint meeting of the LIAC and EAG to discuss the draft
9 plan and solicit feedback within seven months of the Commission's final order
10 in this proceeding.

11 (3) Incorporate feedback from the LIAC and EAG and make a subsequent filing
12 within twelve months of the Commission's final order in this proceeding.

13 (4) Maintain and revise the language access plan as needed, with approval of the
14 LIAC and EAG.

15 (5) Describe the progress and steps taken within the previous year to accomplish
16 the objectives in the language access plan within each LIBA annual report.¹¹

17 **Q. Do you support witness Stokes' recommendations for a language access plan?**

18 **A.** Yes. Language access is an essential component for equitable customer access to all
19 services and programs, including those of utilities. Language access plans have been a
20 tool used across federal government agencies for over two decades to improve
21 communication and outreach about programs and services as well as to increase access

¹¹ SNS-1T at 24:7-18.

1 to and penetration of these programs and services.¹² Witness Stokes' recommendation
2 for a language access plan and the process she lays out will complement and
3 strengthen Pacific Power's existing language services, which will ultimately be
4 reflected in participation in each of the Company's customer programs.

5 **E. Community-Based Organization Outreach**

6 **Q. What is witness Stokes' recommendation for community-based outreach?**

7 **A.** Witness Stokes recommends that the LIBA program outreach should include working
8 with community-based organizations ("CBOs"), and that the Company should partner
9 with Community Action Agencies to identify CBOs and provide them with
10 information and training.¹³ Furthermore, TEP recommends that at least \$100,000 of
11 funding be available overall for a minimum of three years, and that funding be
12 available as soon as possible so that the Community Action Agencies can begin
13 identifying CBOs.¹⁴

14 **Q. Do you support witness Stokes' recommendation for community-based outreach?**

15 **A.** Yes. NWECC supports witness Stokes' recommendations because we acknowledge that
16 CBOs are trusted voices in local communities, allowing them the ability to better reach
17 utility customers who may not be aware of utility bill assistance programs. We agree
18 with TEP that a recommendation for the Company to have coordinated and
19 collaborative CBO outreach for its LIBA program is well-founded in the experience
20 and ongoing success of two other utility efforts that the Commission approved,

¹² Executive Order No. 13,166, 65 Fed. Reg. 50121 (Aug. 16, 2000).

¹³ SNS-1T at 24:21-23, 25:1-5, 27:7-9.

¹⁴ SNS-1T at 27:18-20.

1 Avista’s Community Partner Network and CNG’s CBO program pilot. As a member of
2 CNG’s LIAC, we have seen the willingness of CBOs to partner with a community
3 action agency to enhance customers’ awareness of and enrollment in utility programs.

4 With a CBO program, Pacific Power would have a new opportunity to connect
5 customers to LIBA and weatherization programs, and to build trust within the
6 communities it serves.

7 **F. Low-Income Weatherization**

8 **Q. What are witness Stokes’ recommendations for Pacific Power’s weatherization
9 program?**

10 **A.** Witness Stokes makes two recommendations. Pacific Power should work with its
11 demand-side management advisory group to (1) “develop a pilot program that will
12 overcome the inability to weatherize homes because of a deferred maintenance or large
13 repairs,” and (2) “provide progress payments for weatherization measures in certain
14 situations.”¹⁵

15 **Q. Do you support witness Stokes’ recommendations for Pacific Power’s
16 weatherization program?**

17 **A.** Yes. Washington’s Clean Energy Transformation Act statute dictates that *all* energy
18 utility customers benefit equitably from the clean energy transition.¹⁶ NWECA has a
19 longstanding belief that energy efficiency and weatherization are forms of energy
20 assistance that are vital to spreading the energy and non-energy benefits of a utility’s
21 transition to cleaner and more efficient resources. Furthermore, energy efficiency,

¹⁵ SNS-1T at 28:13-20, 29:1-7.

¹⁶ RCW 19.405.060(c)(iii).

1 including low-income weatherization, benefits all utility customers by displacing the
2 need to generate or purchase power. Witness Stokes' recommendations will help
3 advance weatherization within Pacific Power's communities, which will both
4 immediately deliver energy and non-energy benefits to households as well as enable
5 these households to better participate in the ongoing clean energy transition.

6 **III. CONCLUSION**

7 **Q. Please summarize your testimony.**

8 **A.** In the testimony laid out above, I highlight and affirm witness Stokes'
9 recommendations for Pacific Power's existing BDR program, a future AMP program,
10 disconnection policy, credit reporting policy, a language access plan, a community-
11 based organization outreach program, and low-income weatherization programs. I then
12 explain why NVEC supports each of witness Stokes' recommendations.

13 **Q. What are your recommendations?**

14 **A.** The Commission should adopt witness Stokes' recommendations in full.

15 **Q. Does this conclude your testimony?**

16 **A.** Yes.