

GREEN ENERGY INSTITUTE

Lewis & Clark Law School

NOVEMBER 2022

Focusing on what we can control.

Anxiety. We're all feeling it. In times like these, I lean on Melissa Powers, who often describes herself as an optimist verging on Pollyanna. Even now, as Melissa serves as visiting faculty at the University of Minnesota, while on sabbatical from Lewis & Clark Law School, she offers support and a welcome calmness. The message I take away from our conversations is "prepare for the worst, and hope for the best."

True to that theme, this newsletter highlights some notable successes that GEI, and its Earthjustice partner, achieved at the Oregon Public Utility Commission—successes that represent the best we could have hoped for. We also invite you to register for a webinar that will take place **next Thursday, November 17**, allowing us to dive into aspects of the Inflation Reduction Act we don't hear about and how states and advocates can properly prepare. Finally, we share our *Path to 2050: A Policy Pathway for Decarbonizing Oregon's Economy*, a strategic decarbonization plan identifying existing, proposed, and available policies necessary to reduce GHG emissions rapidly. The pathway is intended to provide a balanced approach that is ambitious, cost-effective, equitable and achievable.

While on sabbatical, Melissa is working on identifying and developing tools to overcome legal barriers to electrifying everything. As she says, the more we can anticipate the barriers, the better we will respond to the inevitable roadblocks fossil fuel interests are likely to erect. During this time, Melissa is eager to spend more time engaged in "deep work" than she's had while teaching and directing GEI over the past several years. During this time, I have stepped in as GEI's Interim Director. As many of you know, I have been unofficially serving in that capacity for months. I have felt privileged to work with committed, hardworking, brave advocates who are challenging the status quo . . . advocates who I know will never give up even if we get the worst.

Thanks, as always, to all of you for your support.

Carra Sahler
Staff Attorney, Green Energy Institute
Lewis & Clark Law School



Interventions Achieve Success

GEI Celebrates NW Natural Rate Case Order and Hydrogen Pilot Project Withdrawal

In two separate proceedings, GEI Staff Attorney **Carra Sahler**, partnering with Earthjustice attorneys, achieved significant results at Oregon's Public Utility Commission. Representing environmental and community-based organizations in a challenge to NW Natural's proposed general rate revision, Sahler elevated concerns about the company's costly decarbonization strategies, NW Natural's promotional advertising, and its opposition to municipal climate action. The order issued by the Oregon Public Utility Commission reevaluated and reduced incentives for gas-system expansion

for 2022, 2023, and 2024 (the "Line Extension Allowance"), approved the expansion of a low-income energy efficiency program, and slashed NW Natural's requested rate increase for lobbying expenses and advertising costs. The latter included NW Natural's attempt to recover costs for printing and distributing activity books targeted at school-age children. Specifically, the Commission pointed out that asking children to identify natural gas as "clean" and diesel as "dirty" has "nothing to do with the purported safety messaging goal." The Commission cautioned NW Natural to "carefully track its advertising costs" and ensure "expected expenses do not include promotional elements." Similarly, after imposing a negative adjustment of \$356,106 to account for improper political activity, the Commission directed NW Natural to detail its expenses in the future so that stakeholders can meaningfully review whether the company is charging ratepayers for advocating against local climate policies, as opposed to providing information to local governments. The cut to the company's Line Extension Allowance is particularly momentous as a first step to recognizing the costs and risks of expanding the gas system.

Just a week later, GEI learned that NW Natural had withdrawn its application for Commission approval of a controversial hydrogen blending operation in Eugene, Oregon. Staff attorney **Carra Sahler**, again partnering with Earthjustice, represented six social justice and environmental organizations, many local to Eugene, in opposition to the project. The organizations raised health and safety concerns and questioned the misguided plan to use hydrogen for space heating and hot water in homes and businesses, instead of in hard to decarbonize industrial processes. Citing community concerns, NW Natural withdrew its application to conduct additional stakeholder outreach before deciding whether to resubmit its application.

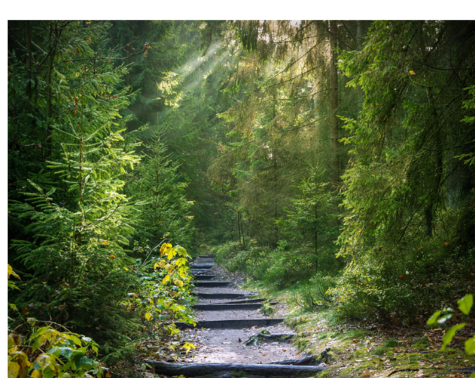
GEI sees these successes as critical first steps toward protecting Oregonians from fossil fuel industries' dangerous efforts to extend fossil fuel dependence for decades to come, at the expense of health, climate, and utility bills.

Register for Webinar

Money, Money, Money: How Gas Utilities Could Chase IRA Dollars

Thursday, November 17
from noon to 1 PM PT

The Inflation Reduction Act is [all the awesome things]. Join Staff Attorney **Carra Sahler** as she moderates a panel via Zoom on how we may see the IRA used in ways we may not expect, and what implementation actions will look like over the next year. She will be joined by panelists Dan Esposito and Hadley Tallackson from Energy Innovation and Lauren Reeg from RMI. To register, click [here](#).



Read the Path to 2050: A Policy Pathway for Decarbonizing Oregon's Economy

While Oregon has made significant progress, the state is not on track to achieve its climate targets. GEI has developed an economy-wide climate policy roadmap for Oregon that identifies a suite of laws and policies that will enable the state to achieve its climate goals equitably and economically manner.

GEI based its climate policy pathway on the [Energy Policy Simulator](#) (EPS) [released by Energy Innovation](#). The EPS offers Oregon policymakers a valuable modeling tool to

compare the outcomes and impacts from a wide variety of climate and energy policies. The EPS is an open-source model that estimates hundreds of climate and energy policies' environmental, economic, and public health impacts. It also helps answer some of the fundamental questions that decision makers face by projecting how various policy mechanisms will impact key outcomes over time. Users can compare outcomes and impacts from different policy scenarios, and adjust policy parameters and sensitivities to examine how different policy designs might affect desired results.

Read GEI's Policy Pathway [here](#).

Thank you for your continued support,

Carra Sahler, Caroline Cilek, and Melissa Powers

The Green Energy Institute Team



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