



Fall, 1999

THE BEAR FACTS

Citizens' Utility Board of Oregon...because the utilities bear watching

CUB Launches Referendum Organizes Voters State-wide to Stop Trojan Rip-off

On July 15th, CUB launched an all-out effort to stop House Bill 3220, one of the worst bills to come out of the 1999 Oregon Legislature.

HB 3220 is a \$304 million handout to Portland General Electric (PGE). None of the money is earmarked for items that might benefit the public, such as energy efficiency, renewable energy, or fish protection. Instead, all of it goes to PGE/Enron shareholders.

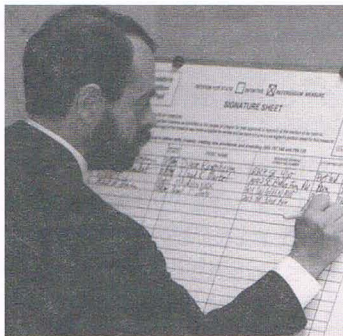
Outrageous? You bet.

Here's the background: PGE was forced to close Trojan nuclear power plant in 1992, 19 years ahead of schedule. Yet it billed customers for the \$304 million in profits that it *would have made* if the plant hadn't been closed.

In other words, it was making a profit on a power plant that was not delivering any power at all.

When CUB objected, the Public Utility Commission (PUC) ruled that PGE could have the profits. It ruled in PGE's favor even though a 1978 law passed by Oregon voters prohibited utilities from collecting profits on closed power plants.

CUB sued PGE and the



Bob Jenks, CUB's Executive Director, signs the petition to stop HB 3220 at a joint news conference.

PUC in court, and won twice. The case is now pending before the Oregon Supreme Court.

Nervous, PGE asked the Oregon Legislature to pass House Bill 3220, which legalized the Trojan profits by wiping out the 1978 law.

Sound unfair? It is. House Bill 3220 looks harmless, but it's nothing more than a multi-million dollar gift to Portland General Electric (PGE). And it paves the way for other utilities all across Oregon to follow suit.

How You Can Help

The bill doesn't officially become law until 90 days after the end of the legislature -- October 23rd. If opponents of the bill can collect 60,000 signatures in that time, we can refer the bill to the ballot. Then citizens will have a chance to vote it down in the November 2000 election.

CUB is working with AARP, Alliance for Democracy, OSPIRG, the Utility Reform Project, and others to put HB 3220 on the ballot. Together, we've already collected over 15,000 signatures. But to succeed, we need your help. If you haven't already done so, please sign the enclosed petition today.

If you can, get 9 more signatures from family members, co-workers, friends, and neighbors. Please return your petition to CUB by October 11th.

With your help, we can stop this nonsense.

In Brief

CUB Turns 15!

On November 6th, CUB turns 15 years old! It was founded by voters in 1984.

Come for a Visit

CUB's home page is finally up. Come visit our den at <http://www.oregoncub.org>.



From the Executive Director

Dear CUB Members,

Thanks to all who contacted their legislators during the session. Your calls and letters had a significant impact. You helped pass Senate Bill 1149, which restructures the Oregon electricity industry in a way that protects residential consumers.

You also helped force legislators to remove a \$400 million US West giveaway from Senate Bill 142.

Nonetheless, much damage was done to consumers this session, and CUB is working hard to undo it. Hundreds of members have already collected 5,000 signatures for the campaign to stop House Bill 3220 (see page 1).

The common theme here is you. CUB works only because of the support of its 6,500 members across the state.

So you can imagine my outrage when a legislator recently called me to check out a rumor that CUB had been paid large sums of money by AT&T and other long-distance carriers to attack US West. Needless to say, the rumor is completely untrue.

It's easy to disprove, since our financial records are audited by an independent accountant every year, and our federal tax forms are available upon request (as required by law). Eighty percent of our funding comes from individuals; the rest comes from foundations.

What angers me most, though, is that the rumor dismisses the power of individuals -- CUB members -- to organize and speak out against corporate greed.

Maybe, however, CUB should be flattered. After all, if somebody has to start a rumor like this, we're doing something right.


Bob Jenks
CUB Member

THE BEAR FACTS is the quarterly newsletter of the Citizens' Utility Board of Oregon (CUB).

CUB is:

- a non-profit organization established by Oregon voters to advocate on behalf of Oregon's utility ratepayers.
- governed by a Board of Governors from throughout Oregon, elected by Congressional District.
- a member of the National Association of State Utility Consumer Advocates (NASUCA) and the Consumer Federation of America (CFA).

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Historic Win for CUB in Legislature

Senate Bill 1149

After two-and-a-half years of organizing, lobbying, and campaigning, CUB, as a key member of the Fair & Clean Energy Coalition, finally won its battle to pass legislation to restructure Oregon's electricity industry while protecting residential consumers.

For some years now, utilities and industrial customers have been pushing to deregulate Oregon's energy market. CUB opposed their

efforts because they would've caused residential consumers' rates to skyrocket.

CUB's plan, on the other hand, which was incorporated into Senate Bill 1149, allows the "big guys" to buy their power on the open market while allowing residential ratepayers to continue receiving a "protected" rate from their current utility, as they do now.

SB 1149 also reinstates funding for weatherization, low-income energy assistance, energy

"This is a huge victory for consumers."

**Jason Eisdorfer, Director
CUB Energy Program**

efficiency, and renewable energy -- funding slashed by utilities over the last several years.

Finally, the bill allows consumers to choose "green energy." Much of our power is now generated by sources that harm the

Continued on page 4

Common Questions about the Referendum

Q : I'm not a PGE Customer. Why should I care?

The bill allows other utilities throughout the state to bill customers for any utility property that's not in use. In fact, Northwest Natural Gas just used HB 3220 to justify a rate hike to pay for a customer service system that was used for 9 months and then abandoned.

Q: I don't like the bill. Why do you want my signature?

A: We must collect signatures to refer HB 3220 to the ballot. Then we'll ask Oregonians to vote "no" on it. Otherwise, the bill becomes law on October 23rd.

Q: How can PGE make a profit on a closed power plant? There's nothing to sell, right?

A: When a monopoly utility like PGE invests in building a power plant, the state has historically given it the right to collect the cost of building and maintaining the plant

from customers. In addition, it's allowed to collect a pre-set profit on the plant (for example, a 9% profit) as well.



So even though Trojan isn't delivering any power, the PUC is allowing PGE to

collect the profits it would have made if Trojan actually were generating electricity.

Q: Does this affect who pays for Trojan's decommissioning costs?

A: No.

Q: Why did Governor Kitzhaber sign HB 3220?

A: He supported the Public Utility Commission's decision that PGE needed an incentive to close the power plant.

However, the PUC's reasoning was seriously flawed. For one thing, PGE closed Trojan before it was allowed to collect the Trojan profits.

For another, a monopoly utility is rewarded for running a safe, efficient power plant. If it makes a

bad investment or mismanages a power plant, it should pay a penalty, just like any other company.

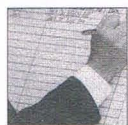
According to the PUC and the Governor, however, a utility should make its money back, plus a profit, no matter how badly it designs or runs its plants. It makes money either way, which means that its incentive to run safe, efficient plants disappears. That's not right.

Q: When are petitions due?

We must submit completed petitions (with all 60,000 signatures) to the Secretary of State by October 22nd. We ask that you return your signatures to CUB by October 11th.

Q: Why aren't you referring Senate Bill 622 -- the US West bill -- to the ballot?

A: The Legislature tacked on an "emergency" clause to SB 622, which means the bill cannot be referred to voters.



Legislature: Wins, Some Losses

Continued from page 3

environment -- 30% of Oregon's electricity, on average, is produced by burning coal, which pollutes the air. Even hydro, we now know, harms fish. Yet wind, solar, and geothermal power are available on the market. Now customers will have access to it.

Why Lawmakers Bashed Consumers

Unfortunately, CUB's work in the legislature wasn't all successful. The utilities sponsored a whole slew of bills designed to raise your rates and increase their profits. Though pressure from CUB's staff and members helped stop some bad bills and influence the final shape of others, at the end of the session the utilities walked away with huge handouts. The chart above, however, could show why.

For the first time in CUB's memory, US West and Portland General Electric (PGE) hired lobbyists outside their companies. Both lobbyists

generous political action committees of 1998.

Pop quiz: pretend you're a politician. You meet with staff from CUB, which gave you no money for your election. CUB asks you to vote against a bill written by US West. Then Larry Campbell, whose PAC underwrote a large portion of your election campaign, calls you up and asks you to vote for the same bill. Who will you listen to? That's what we thought.

How the Bills Fared

In addition to SB 1149, CUB tracked four bills:

HB 3220: Trojan Profits - Gave PGE \$304 million in profits on a power plant that delivers no juice. (See p.1.)

SB 622 (formerly SB 142): The Biggest Phone Bill You've Ever Seen

After 11th-hour negotiations with the Governor's office, US West was able to get SB 622 passed.

The bad news: the 10% Universal Service Surcharge in the bill will raise rates 10%. While CUB supports universal service, SB 622 fails to remove pre-existing

How Loudly Does Money Talk?

1998 Campaign Contributions

Oregon Victory Fund*	\$468,390
Impact Oregon**	132,500
Electrical Utilities	155,626
Telephone Utilities	163,771
Total	\$920,287

*Larry Campbell, founder. Mr. Campbell is also a lobbyist for US West.

**John DiLorenzo, Treasurer. Mr. DiLorenzo is a lobbyist for Portland General Electric/Enron.

Source: Undermining Democracy: Money in Oregon Politics. For your copy, call Moira Bowman at Oregon Action, 503-282-6588. Cost of the report is \$5.00.

universal service subsidies from rates, so customers get charged twice.

Furthermore, the bill caps US West's prices permanently. Yet the cost of providing telecom services falls rapidly, year after year, because of innovation, reduced costs, and increased demand. As costs go down, so should prices. As it is, SB 622 insures that customers will be overcharged and US West's profits will go up, year after year.

HB 3615: Revenge on the Regulators

Oregon's system of utility oversight isn't perfect, but its 3-person Public Utility Commission and independent staff are relatively free from political pressure.

HB 3615 might change that, because it brings the PUC and its

staff under direct control of the Governor. Though Governor Kitzhaber has said he will issue Executive Order limiting the political impact of the bill, such orders can be rescinded by future administrations.

HB 2579: Yellow Pages Giveaway

Development of the Yellow Pages was paid for by the captive customers of phone company monopolies like GTE and US West. Once advertising put the Yellow Pages in the black, profits were split between the phone company and its customers. House Bill 2579 would have given away your share of this revenue -- for free. This bill passed the House, but never left the Senate.

How State Lawmakers Voted on Consumer Issues

Representative (District)	1	2	3	4	5	total
Jason Atkinson (51)	-	+	-	-	-	20%
Vic Backlund (53)	-	+	-	-	+	40%
Chris Beck (12)	+	-	-	+	+	60%
Roger Beyer (28)	-	-	-	-	-	0%
Jo Ann Bowman (19)	-	-	+	+	+	60%
Tom Butler (60)	-	-	-	-	-	0%
Betsy Close (36)	+	+	-	-	-	40%
Ryan Deckert (8)	-	+	-	+	-	40%
Richard Devlin (24)	-	+	-	-	-	20%
Randall Edwards (15)	-	+	-	-	-	20%
Dan Gardner (13)	-	-	-	+	+	40%
Juley Gianella (38)	-	+	-	-	-	20%
Gary Hansen (17)	-	-	-	-	+	20%
Steve Harper (53)	-	+	-	-	-	20%
Jim Hill (5)	-	-	-	-	-	0%
Elaine Hopson (2)	-	+	-	+	+	60%
Bob Jensen (57)	-	-	-	-	+	20%
Deborah Kafoury (18)	+	-	+	+	+	80%
Al King (44)	-	+	-	+	-	40%
Tim Knopp (54)	+	-	-	-	-	25%
Jeff Kropf (37)	-	+	-	-	-	20%
Jerry Krummel (27)	-	+	-	-	-	20%
Jeff Kruse (45)	-	+	-	-	-	20%
Mike Lehman (47)	-	-	-	+	-	20%
Randy Leonard (21)	-	-	-	+	+	40%
Leslie Lewis (29)	-	+	-	-	-	20%
Jane Lokan (25)	-	-	-	A	-	0%
Kathy Lowe (26)	-	+	-	+	+	60%
Lynn Lundquist (59)	-	-	-	-	-	0%
Kevin Mannix (32)	-	+	-	-	-	20%
Jeff Merkley (16)	+	+	+	+	+	100%
Ken Messerle (48)	-	-	-	-	-	0%
Karen Minnis (20)	-	+	-	-	-	20%
Bob Montgomery (56)	+	-	-	-	-	20%
Susan Morgan (46)	-	+	-	-	-	20%
Bill Morrisette (42)	+	+	-	+	+	80%
Rob Patridge (50)	-	-	A	-	-	0%
Kitty Piercy (39)	-	-	-	+	+	40%
Floyd Prozanski (40)	+	-	+	+	+	80%
Anitra Rasmussen (11)	-	-	-	+	+	40%
Diane Rosenbaum (14)	+	+	+	+	+	100%
Barbara Ross (35)	-	+	-	A	+	50%
Kurt Schrader (23)	-	+	-	-	-	20%
Lane Shetterly (34)	-	+	-	-	-	20%
Mark Simmons (58)	-	-	-	-	-	0%
Lynn Snodgrass (10)	-	+	-	-	-	20%
Bruce Starr (3)	-	+	-	-	-	20%
Ken Strobeck (6)	+	+	-	-	A	50%
Ron Sunseri (22)	-	+	-	-	-	20%
Jackie Taylor (1)	-	-	-	+	+	40%
Terry Thompson (4)	-	+	-	+	-	40%
Judy Uherbelau (52)	+	-	+	+	+	80%
Vicki Walker (41)	-	-	+	+	+	60%
Larry Wells (30)	-	+	-	-	+	40%
Jim Welsh (43)	-	+	-	-	-	20%
Ben Westlund (55)	-	+	-	-	-	20%
Max Williams (9)	-	+	-	-	-	20%
Carl Wilson (49)	-	-	-	-	-	0%
Jackie Winters (31)	-	+	-	-	-	20%
Bill Witt (7)	+	+	-	-	-	40%

State Senator (District)	1	2	3	4	total
Brady Adams (25)	-	+	-	-	25%
Lee Beyer (21)	-	+	A	+	66%
Kate Brown (7)	-	+	-	+	50%
Neil Bryant (27)	-	+	-	-	25%
Ginny Burdick (6)	-	-	+	+	50%
Susan Castillo (20)	-	-	+	+	50%
Tony Corcoran (22)	+	-	+	+	75%
Peter Courtney (17)	+	-	-	+	50%
Gene Derfler (16)	-	+	-	-	25%
Joan Dukes (1)	-	+	-	+	50%
Verne Duncan (12)	-	+	-	-	25%
Ted Ferrioli (28)	-	A	-	-	0%
Bill Fisher (23)	A	+	-	-	33%
Gary George (2)	A	+	-	-	33%
Avel Gordly (10)	-	-	+	+	50%
Lenn Hannon (26)	+	-	-	-	25%
Tom Hartung (26)	-	-	-	-	0%
John Lim (11)	-	+	-	+	50%
Rick Metsger (14)	-	+	-	+	50%
Randy Miller (13)	-	+	-	-	25%
David Nelson (29)	-	+	-	-	25%
Eileen Qutub (4)	+	+	-	-	50%
Marilyn Shannon (15)	-	+	-	-	25%
Frank Shields (9)	+	+	A	+	100%
Charles Starr (5)	-	+	-	-	25%
Veral Tarno (24)	-	+	-	-	25%
Gene Timms (30)	-	-	-	-	0%
Cliff Trow (18)	-	+	-	+	50%
Thomas Wilde (8)	-	-	-	+	25%
Mae Yih (19)	A	+	A	A	100%

Key to the Votes

Issues voted on (see p.4 for full descriptions):

1. SB 622 (formerly 142)
2. SB 1149
3. HB 3220
4. HB 3615 minority report vote
5. HB 2579

Note: A "+" vote is pro-consumer. A "-" vote is anti-consumer.

CUB Thanks Its Loyal Members

CUB receives **no** state funding and depends on its members for 80% of its operating budget. Space doesn't permit us to list all those who contributed between June 5, 1999 and September 7, 1999, but we would like to single out the following members for special recognition:

Extraordinary Service to the CUB Educational Fund Daniel W. Meek

Circle of Friends (monthly donations)

Joan W. Ballenger
J.R. & Sally P. Bell
Gordon & Bea Bentson
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Carol Weigler
Jeanne & Owen Welles
Morton A. Winkler

Supporters (\$5-\$49) 2,068 dedicated members

Keep CUB Prowling



If you have provided for CUB in your estate plans, please let us know. If not, let us show you how. Write Bob Jenks, Executive Director, CUB, 921 SW Morrison, #511, Portland, OR 97205, or call (503) 227-1984.

Your gifts ensure that CUB will always be around to fight for what you believe in.

Your Chance to Vote!

It's time for Board elections again. The CUB Board of Governors is made up of three individuals from each of Oregon's five congressional districts.

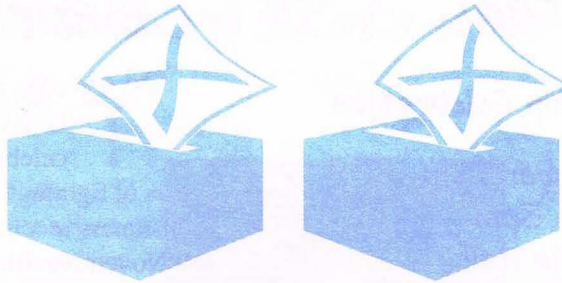
This year, the terms of two Board members, Laura Culberson (District 3) and Joan Cote (District 5), expire. Both are running for re-election unopposed.

While there are open seats in all districts except 3, no other candidates are running at this time.

Statement of Laura Culberson **Congressional District 3**

As one of the newest members on the CUB Board of Governors, I am eager to continue my commitment to watchdog utilities and ensure that ratepayers don't get abused by the tremendous push to deregulate the telephone and energy industries.

I bring to the board of CUB five years of political organizing and advocacy on consumer, environmental and democracy issues. During my three years as Consumer and Energy Advocate at OSPIRG, I lobbied in Salem on energy and telecommunications



issues and often testified on behalf of consumers that it is possible to keep rates low while still protecting the environment.

Additionally, I have worked on several ballot initiatives, which I believe will be a strong contribution to CUB as we prepare to challenge some of the legislature's bad bills through the referendum process.

I ask your support for election to the CUB Board, so that I can continue to fight for the interests of consumers on these matters that have a very real effect on our daily lives.

Statement of Joan Cote **Congressional District 5**

I've been a member of the Board of Governors for the past four years and currently serve as

Vice Chair. I would like to continue as a Board member to follow the enactment of legislation passed this year that will affect the energy and telecommunications industries. I feel CUB's role in this process is vital to protect

consumers.

My background includes 13 years' experience as a low-income advocate in the energy field. I have testified before the Legislature in Salem on behalf of low-income customers regarding deregulation of the electric utility industry. I have also testified before the Public Utility Commission during the PGE/Enron merger on behalf of low-income consumers. I am currently participating in negotiations with PacifiCorp/Scottish Power to provide additional weatherization and energy assistance for low-income customers as part of their proposed merger.

I ask your support for re-election to the CUB Board of Governors, to continue to help protect the interests of consumers. Thank you.

Instructions: Return by October 18, 1999. You may only vote for the candidate who represents your congressional district. Don't know yours? Check your mailing label.

ballot



Laura Culberson

District 3
Unopposed



Joan Cote

District 5
Unopposed



*You're
Invited!*



CUB Membership Celebration

Sunday, November 7th, 1999

3pm - 5pm

Scandia Hall

1125 SE Madison

Portland, OR

Information:

(503) 227-1984 or cub@teleport.com

15th Anniversary Celebration

You're invited to help CUB celebrate 15 years of fighting for utility consumers at a meeting on November 7th.

The annual meeting caps a series of grassroots forums held with members around the state. The forums provided a place for CUB staff to update

members and answer questions about the 1999 Legislature, the Trojan referendum campaign, as well as CUB's accomplishments and future.

The membership celebration will feature a prominent speaker, a brief awards ceremony, refreshments, and other activities.

Founded in 1984 by Oregon voters, CUB survived early attempts by utilities to kill it off.

At last count, CUB has won refunds and rate reductions worth over one billion dollars to Oregon utility consumers. That's in addition to important policy victories that protect the environment, low-income Oregonians, and consumer privacy.

Now that's reason to celebrate!

Save Energy -- and Money, Too!

Refrigerator on the blink? Need a new air conditioner? You can obtain updated lists of top-rated energy-efficient appliances on the web. Point your browser to <http://aceee.org/consumerguide>.

Also, you could be eligible for a state tax

credit when you buy an energy efficient appliance. The CUB Educational Fund (CEF) has produced a free guide to promote the federal ENERGY STAR program, which helps consumers identify energy efficient appliances. To get your copy, send a SASE to CEF Energy Guide, CUB

Educational Fund, 921 SW Morrison, #511, Portland, OR 97205.



Look for this label when shopping for appliances.

*The Bear Facts is printed with
50%-based ink on 50/35 recycled paper.*



RETURN SERVICE REQUESTED

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