

Secretary of State
NOTICE OF PROPOSED RULEMAKING*
 A Statement of Need and Fiscal Impact accompanies this form.

Public Utility Commission

860

Agency and Division

Administrative Rules Chapter Number

Diane Davis

550 Capitol St NE – Suite 215, Salem OR 97301-2551

(503) 378-4372

Rules Coordinator

Address

Telephone

RULE CAPTION

In the Matter of a Rulemaking to Make Housekeeping Changes to OAR 860-027-0005.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

Secure approval of new rule numbers (adopted or renumbered) with the Administrative Rules Unit prior to filing.

ADOPT:**AMEND:** 860-027-0005**REPEAL:****RENUMBER:****AMEND and RENUMBER:**

ORS Ch. 183, 756 & 757

Senate Bill 600 (2005)

Stat. Auth:

Other Authority

ORS 756.105 & 757.105

Stats. Implemented:

RULE SUMMARY

This amendment makes housekeeping changes to OAR 860-027-0005 by eliminating the requirement that large telecommunications utilities file annual budgets of expenditures with the Public Utility Commission. ORS 759.100 requiring large telecommunications utilities to file annual budgets of expenditures was repealed by Senate Bill 600 during the 2005 legislative session.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

September 24, 2007, 5:00 p.m.

Last day for Public Comment

Last day to submit written comments to the Commission



Signature

Diane Davis

Printed Name

8-14-07

Date

*Rulemaking Notices published in the Oregon Bulletin must be submitted by 5:00 p.m. on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. A public rulemaking hearing may be requested in writing by 10 or more people, by an association with 10 or more members, within 21 days following publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

ARC 923-2005

Secretary of State

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Agency and Division

Administrative Rules Chapter Number

Public Utility Commission

860

In the Matter of a Rulemaking to Make Housekeeping Changes to OAR 860-027-0005.

Rule Caption: In the Matter of a Rulemaking to Make Housekeeping Changes to OAR 860-027-0005.

Statutory Authority: ORS Ch. 183, 756 & 757

Other Authority: SB 600 (2005)

Stats. Implemented: ORS 756.105 & 757.105

Need for the Rule(s): ORS 759.100 (2004 laws) requiring large telecommunications utilities to submit annual expenditure budgets was repealed by Senate Bill 600 in 2005.

Documents Relied Upon, and where they are available: SB 600 available online at <http://www.leg.state.or.us/05reg/measpdf/sb0600.dir/sb0600.en.pdf>

Fiscal and Economic Impact, including Statement of Cost of Compliance:
 Telecommunications Utilities are no longer required to file annual expenditure budgets. The cost of compliance savings to the large telecommunications utilities and to the Public Utility Commission are a direct result of the 2005 legislation, not a result of this rule amendment memorializing the effect of the legislative repeal. No other state agencies, local governments, industries or members of the public are affected by this rule amendment.

How were small businesses involved in the development of this rule? This rule amendment is the direct result of 2005 legislative activity. Affected businesses participated in the legislative process.

Administrative Rule Advisory Committee consulted? No

If not, why?

This rule amendment is the direct result of 2005 legislative activity.

Diane Davis
 Authorized Signer

Diane Davis
 Printed Name

8-14-07
 Date

860-027-0005

Utilities Required to File ~~Reports~~ Budget of Expenditures

Each energy ~~and large telecommunications~~ utility operating within Oregon and having gross operating revenues of \$50,000 or more per annum is required to file with the Commission on or before the first day of November of each year, a copy of its proposed Budget of Expenditures, on forms approved by the Commission.

Stat. Auth.: ORS Ch. 183, 756, ~~& 757- & 759~~

Stats. Implemented: ORS 756.105, ~~& 757.105- & 759.100~~

Hist.: PUC 164, f. 4-18-74, ef. 5-11-74 (Order No. 74-307); PUC 9-1998, f. & ef. 4-28-98 (Order No. 98-169); PUC 16-2001, f. & ef. 6-21-01 (Order No. 01-488)