

Secretary of State

NOTICE OF PROPOSED RULEMAKING*

A Statement of Need and Fiscal Impact accompanies this form

Public Utility Commission of Oregon

860

Agency and Division

Administrative Rules Chapter Number

Diane Davis

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RULE CAPTIONIn the Matter of a Rulemaking Regarding Due Dates for Certain Energy Utility Reports.

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

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing

ADOPT:**AMEND:**

860-027-0005, 860-027-0015, 860-027-0045, 860-027-0070

REPEAL:**RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.**Statutory Authority:**

ORS Ch. 183, 756, 757, 759

Other Authority:

2013 House Bill 2266

Statutes Implemented:

ORS 756.040, 756.105, 757.105, 757.120, 757.125, 757.135, 759.225

RULE SUMMARY

This rulemaking proposes changes to rules which set due dates for Energy Utilities to file their Budgets of Expenditures, Construction Budgets, Results of Operations, and Annual Reports such as the FERC 1 or FERC 2 including the Oregon Supplement. These changes are the result of the House Bill 2266 (2013). The rulemaking also proposes some housekeeping changes.

The Commission encourages participants to file written comments as early as practicable in the proceedings so that other participants have the opportunity to consider and respond to the comments before the deadline. Please reference Docket No. AR 578 on comments and file them by e-mail to the Commission's Filing Center at PUC.FilingCenter@state.or.us and also send a signed paper copy to the Filing Center at PO Box 1088, Salem, Oregon 97308-1088. For more information about the Commission's Filing Center, please see <http://apps.puc.state.or.us/edockets/center.htm>. Interested persons may review all filings online at <http://apps.puc.state.or.us/edockets/docket.asp?DocketID=18723>. For guidelines on filing and participation, please see OAR 860-001-0140 through 860-001-0160 and 860-001-0200 through 860-001-0250 found online at http://arcweb.sos.state.or.us/pages/rules/oars_800/oar_860/860_001.html.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the 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.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative

03-28-2014 5:00 p.m.
Last Day (m/d/yyyy) and Time

Diane Davis
Rules Coordinator Name

diane.davis@state.or.us
Email Address

FILED
2-5-14 7:59 AM
ARCHIVES DIVISION

for public comment

SECRETARY OF STATE

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking accompanies this form.

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860

Agency and Division

Administrative Rules Chapter Number

In the Matter of a Rulemaking Regarding Due Dates for Certain Energy Utility Reports.

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

In the Matter of:

a Rulemaking Regarding Due Dates for Certain Energy Utility Reports.

Statutory Authority:

ORS Ch. 183, 756, 757, 759

Other Authority:

2013 House Bill 2266

Statutes Implemented:

ORS 756.040, 756.105, 757.105, 757.120, 757.125, 757.135, 759.225

Need for the Rule(s):

The rule updates implement House Bill 2266 (2013) by prescribing due dates.

Documents Relied Upon, and where they are available:

2013 House Bill 2266 found online at https://olis.leg.state.or.us/liz/2013R1/Measures/Text/HB2266/Enrolled

Fiscal and Economic Impact:

There is no anticipated additional fiscal and economic impact resulting from the proposed rule changes. The proposed rule changes allow more time to file the required reports and in some instances offer more flexibility. This may decrease costs for the companies.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

The rule changes provide more time to file certain reports. There is not any anticipated cost of compliance for state agencies, units of local government, or the public.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

None of the energy utilities subject to these rules are small businesses.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

There are no anticipated additional costs for reporting, recordkeeping or other administrative activities required for compliance.

c. Equipment, supplies, labor and increased administration required for compliance:

There are no anticipated additional costs for equipment, supplies, labor, and increased administration required for compliance.

How were small businesses involved in the development of this rule?

Small businesses were not involved because they are not subject to the reporting requirements.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

Staff solicited informal comment from the subject utilities on the proposed changes prior to opening the rulemaking.

03-28-2014 5:00 p.m.

Diane Davis

diane.davis@state.or.us

Last Day (m/d/yyyy) and Time for public comment

Printed Name

Email Address

FILED

2-5-14 7:59 AM

ARCHIVES DIVISION SECRETARY OF STATE

860-027-0005

Utilities Required to File Reports

Each energy 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. **Each year, no later than December 1, the energy utility must notify the Commission in writing of the date the energy utility will file its Budget of Expenditures.**

Stat. Auth.: ORS 183, 756, 757

Stats. Implemented: ORS 756.105, 757.105

Hist.: PUC 164, f. 4-18-74, ef. 5-11-74 (Order No. 74-307); PUC 9-1998, f. & cert. ef. 4-28-98; PUC 16-2001, f. & cert. ef. 6-21-01; PUC 12-2007, f. & cert. ef. 10-31-07

860-027-0015

New Construction Budget

Each energy utility operating within Oregon is required to file annually ~~on or before December 31~~ on forms approved by the Commission information on new construction, extensions, and additions to the utility's property. **Each year, no later than December 1, the energy utility must notify the Commission in writing of the date the energy utility will file its New Construction Budget.**

Stat. Auth.: ORS 183, 756 & 757

Stats. Implemented: ORS 756.105 & 757.105

Hist.: PUC 164, f. 4-18-74, ef. 5-11-74 (Order No. 74-307); PUC 9-1998, f. & cert. ef. 4-28-98; PUC 16-2001, f. & cert. ef. 6-21-01; PUC 12-2002, f. & cert. ef. 3-12-02; PUC 2-2013, f. & cert. ef. 3-21-13

Uniform System of Accounts

860-027-0045

Uniform System of Accounts for Electric Utilities -- Major and Nonmajor

(1) The Uniform System of Accounts prescribed for Public Utilities and Licensees, Part 101, Chapter 1, 18 Code of Federal Regulations (April 1, 2004~~13~~, edition) is hereby adopted and prescribed by the Commission for each electric company.

(2) Each electric company having multistate operations **shall must** maintain records in such detail that the cost of property located in and business done in Oregon in accordance with geographic boundaries can be readily ascertained.

(3) Each electric company having multistate operations ~~must~~shall file annually ~~with the Commission, on or before April~~May 1 of the ensuing year, its Oregon allocated results of operations ~~for the calendar year reported, on the basis of using~~ allocation methods acceptable to the Commission. The results of operations report must be filed with the Commission on or before May 1 of each year.

Stat. Auth.: ORS 183, 756 & 757

Stats. Implemented: ORS 756.105, 757.120, 757.125 & 757.135

Hist.: PUC 164, f. 4-18-74, ef. 5-11-74 (Order No. 74-307); PUC 5-1985, f. & ef. 4-24-85 (Order No. 85-355); PUC 3-1992, f. & cert. ef. 2-14-92 (Order No. 92-246); PUC 9-2001, f. & cert. ef. 3-21-01; PUC 19-2001, f. & cert. ef. 6-21-01; PUC 7-2005, f. & cert. ef. 11-30-05

Annual Reports

860-027-0070

Annual Report Requirements for Electric, Gas, Steam Heat, and Large Telecommunications, Gas, and Steam Heat Utilities

(1) Annual Reports ~~will~~must be submitted by electric, gas, ~~water~~, and steam heat utilities. The report ~~shall~~must be submitted on or before ~~April~~May 1, using the most current forms approved by the Commission. For energy utilities, the annual reports include but are not limited to the FERC 1 (including the Oregon Supplement) or the FERC 2 (including the Oregon Supplement), and the Results of Operations.

(2) Annual Reports will be submitted by large telecommunications utilities. The report Form O for the previous calendar year shall be submitted on or before April 1, using the most current forms approved by the Commission. The report Form I for the previous calendar year shall be submitted on or before October 31 using the most current forms approved by the Commission.

[ED. NOTE: Forms referenced in this rule are available from the agency.]

Stat. Auth.: ORS 183, ORS 756, ORS 757 & ORS 759

Stats. Implemented: ORS 756.040, ORS 756.105, ORS 757.120, ORS 757.125, ORS 757.135 & ORS 759.225

Hist.: PUC 164, f. 4-18-74, ef. 5-11-74 (Order No. 74-307); PUC 9-1985, f. & ef. 6-25-85 (Order No. 85-574); PUC 3-1995, f. & cert. ef. 6-19-95 (Order No. 95-516); PUC 13-1997, f. & cert. ef. 11-12-97; PUC 2-1998, f. & cert. ef. 2-24-98; PUC 3-1999, f. & cert. ef. 8-10-99; PUC 19-2000, f. & cert. ef. 12-28-00; PUC 16-2001, f. & cert. ef. 6-21-01