



**Portland General Electric Company**  
121 SW Salmon Street • Portland, Oregon 97204  
PortlandGeneral.com

October 9, 2015

Public Utility Commission of Oregon  
Attn: Filing Center  
201 High Street S.E.  
P.O. Box 1088  
Salem, OR 97308-1088

**RE: UE 300 – PGE’s Fifth Supplemental Filing of Advice No. 15-09, Rule C  
Customer Attachment to Facilities**

Portland General Electric (PGE) submits this Supplemental Filing pursuant to Oregon Revised Statutes 756.010(8) and 757.205. PGE originally submitted Advice No. 15-09 on April 3, 2015, with a requested effective date of May 20, 2015. A Supplemental filing was made on April 6, 2015 to make corrections to the original filing. PGE also made supplemental filings May 13, 2015, June 24, 2015 and July 1, 2015 extending the effective date. During this lengthy period, PGE has participated in several stakeholder discussions and workshops to revise the filing to resolve outstanding concerns.

On July 30, 2015, the Oregon Department of Transportation (ODOT) filed a request with the Commission to suspend the schedule and to open a contested case for this filing and set a hearing. By Commission Order No. 15-227 dated August 5, 2015, PGE’s Advice No. 15-09 was suspended for further investigation. Upon receiving ODOT’s request to the Commission, PGE submitted a letter to the Department of Justice (DOJ) in response to ODOT’s request with a revised tariff and an explanatory letter. PGE hereby submits a Fifth Supplemental of Advice No. 15-09 to update the tariff with the revised version sent to the DOJ with the goals of addressing parties’ expressed concerns, and attempting to eliminate the need for a contested case. The effective date of this tariff will be determined when either resolution has been achieved following the upcoming Stakeholder Meeting scheduled for October 26, 2015 in Portland or, if a contested case is required by the Commission, after the Commission issues an order in that case.

Enclosed are the following replacement<sup>1</sup> sheets:

First Revision of Sheet No. C-11  
First Revision of Sheet No. C-12  
First Revision of Sheet No. C-13  
First Revision of Sheet No. C-14

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<sup>1</sup> Replacement sheets reference PGE’s proposed language changes to Rule C contained in the Fourth Supplemental filing of Advice 15-09.

Original Sheet No. C-15

The purpose of this Fifth Supplemental Filing is to provide parties with the latest revised version of Rule C Section (7) submitted to the DOJ on August 7, 2015. As a courtesy, we include the red-lined tariff sheets with the proposed changes as Attachment A.

Tariff revisions to PGE's Fourth Supplemental explained:

Section 7 (B) – The use of the word 'other' is changed to "or a form of" as suggested by the City of Portland (PBOT) as the modifier for "private agreement".

Section 7 (B)(2) – the ORS 758.025 reference is removed and replaced with "Oregon law" to satisfy the objection expressed by Oregon Department of Transportation (ODOT) that the tariff already refers to applicable statutes.

Section 7 (B)(4) – this subsection is removed in its entirety. PGE has worked hard to achieve a reasonable compromise in its tariff to incent better planning and communication to mitigate costs where second moves within a two year period are requested. However, recognizing that the language in subsection 7(B)(4) continues to draw concern, this subsection is deleted.

As this filing proposes a tariff change, PGE provides the following information to meet OAR 860-022-0025(2):

- a. The changes proposed clarify cost responsibility when PGE is asked to remove, rearrange or relocate its Facilities, and clarifies the definition of Public Works Project.
- b. PGE is unable to estimate number of customers affected as it will depend on the number of projects planned by government entities, developers, customers and others. Similarly, PGE is unable to estimate changes in revenue and the effects of clarifying cost responsibility.
- c. This cover letter contains the grounds relied upon in support of the change.

Should you have any questions or comments regarding this filing, please contact Terri Bowman at (503) 464-8854.

Please direct all formal correspondence and requests to the following email address [pge.opuc.filings@pqn.com](mailto:pge.opuc.filings@pqn.com)

Sincerely,



Karla Wenzel  
Manager, Pricing and Tariffs

C.c. Stephanie Andrus, DOJ  
UE-300 Stakeholders

Enclosures

PGE Fifth Supplemental of  
Advice No. 15-09

Attachment A

Red Lined Tariff Sheets

7. **Relocation, Removal, or Rearrangement of Facilities**

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A. **Generally**

Unless the terms of a franchise agreement specifies otherwise, any relocation, removal or rearrangement of Facilities requested by a party, including but not limited to builders, developers, Customers or Customers' agents, that will be performed by the Company at the requesting party's expense even if the relocation, removal or rearrangement will be necessary to meet the requirements of the requesting party's permit from the governmental entity with jurisdiction over the project. Unless the Company believes good cause has been shown for a different timing for payment, the Company requires advance payment of a sum equal to the estimated original cost of any installed Facilities to be removed, less estimated salvage and less depreciation, plus estimated removal cost, plus any operating expense associated with the removal, rearrangement or relocation.

B. **Public Works Project**

The Company will bear the cost for relocation, rearrangement or removal of Facilities within the public right-of-way under the following circumstances unless an ordinance, state law, a franchise agreement, or ~~other a form of~~ private agreement specifies different cost responsibilities:

- 1) The relocation, removal or rearrangement meets the definition of a qualifying Public Works Project. A qualifying Public Works Project is defined as a project or improvement that: (a) is located on, or requires changes to, the public right-of-way, or on land that will be dedicated as public right-of-way as part of the governmental approval process; and (b) meets one or both of the following criteria: (i) the majority of the funding for the project or improvement will come from governmental sources, including but not limited to system development charges paid to the local government entity and used as a credit toward the cost of the project or improvement; or (ii) the project or improvement is included in a ten year master plan, transportation systems plan, or comprehensive plan or System Transportation Improvement Plan adopted or approved through a public process by the governmental entity having jurisdiction over the public right-of-way.

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- 2) The governmental entity having jurisdiction over the public right-of-way has coordinated with the Company and discussed the Public Works Project's scope and schedule in accordance with Oregon law ORS 758.025;
- 3) The Company's overall project can generally be scheduled during Scheduled Crew Hours (excluding load transfers which may need to be performed outside of normal work hours) unless applicable regulations or ordinances specify otherwise; and
- ~~4) If the Public Works Project requires the Company to relocate all or part of the same Facilities relocated for a prior Public Works Project within two years of the relocation request or order for such prior Public Works Project, then Section (7)(A) will apply to the cost of the relocation related to the subsequent Public Works Project unless an applicable franchise agreement, state statute or city ordinance specifically states different cost allocations, or the relocation is necessitated by an event or circumstance beyond the reasonable control of the requester, including but not limited to Acts of God, earthquake, severe storm, flood, or other natural disaster.~~

C. **Easement**

Notwithstanding any language in this Rule to the contrary, the requesting party will bear the costs for permanently relocating Facilities that at the time of the request are located on a private easement granted to the Company or governed by some other private right granted to or obtained by the Company, regardless of status as qualifying Public Works Project or otherwise. A public utility easement ("PUE") for the use of public utility facilities that is granted to or managed by a city is not a private easement for the purposes of this Section C.

D. **Exception to General Rule in Section 7.A.**

- (1) If the necessary work can be performed by Company crews in a single trip to the requesting party's Premises during Scheduled Crew Hours (7:00 a.m. to 3:30 p.m., Monday through Friday, except Company recognized holidays) and subject to subsection (D)(2) below, the Company will bear the cost of relocation, rearrangement, or removal of overhead or underground Facilities on or adjacent to the Premises under any one of the five circumstances listed below:

- a. Such Facilities are idle, meaning not receiving Electricity Service for more than six months, except in the case of conversion from overhead to underground service; or
  - b. The location of such Facilities in the street area deprives the requesting party of reasonable ingress to or egress from the Premises, provided such Facilities are not on a property line or a property line extended plus or minus one foot. Generally, one driveway is considered reasonable ingress or egress; or
  - c. Such Facilities occupy space on the requesting party's Premises that will be used for an expansion of the requesting party's building or plant. In these cases, the Line Extension Allowance will apply for the expansion. Such line extension will be based on the annual kilowatt hours to be served by the Company at the rate listed in Rate Schedule 300. The Customer will bear the costs exceeding the Line Extension Allowance; or
  - d. The purpose is to relocate a meter to a more accessible location approved by the Company; or
  - e. Relocation of a service drop is the only work requested, subject to additional cost allocations specified in Rule I.
- (2) All work must be performed by the Company crews during Scheduled Crew Hours as specified in Section (D)(1) above, unless applicable regulations or ordinances specify otherwise, and other than Scheduled Crew Hours are requested, the requesting party must pay for all costs plus loadings incurred by the Company due to the work being performed in other than Scheduled Crew Hours.

**E. Underground Conversions**

For underground conversions (i.e. overhead Facilities converted to underground facilities), unless OAR 860-022-0046 applies and the Company is required to collect the conversion costs from customers in accordance with the rule, the requesting party is also responsible for the conversion costs as that term is defined in OAR 860-022-0046.

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F. **Temporary Relocations**

The requesting party will bear the costs of the temporary relocation when, for clearance reasons or otherwise, the Company is required to temporarily move its Facilities, either because the Company cannot move its Facilities to the new permanent placement or the Facilities will be returned to their former location at a later point in time, unless a private agreement specifies different cost responsibilities or Section B applies. A temporary relocation is defined as one where the Company expects at the time of the request or order that the initial relocation will be temporary and the Facilities will be subsequently moved to a permanent location.

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8. **Service Restoration**

A. **Generally**

During a major outage due to events such as a major storm, the Company will follow priorities for service restoration as provided below. These restoration procedures are followed in order to restore service to the greatest number of Customers as quickly as possible with special consideration given to Customers that are critically essential to public welfare.

The Company maintains a list of critical Customers such as hospitals, airports, 911 dispatch centers, fire and police stations, water and sewage treatment plants, radio and television stations, newspapers and telephone exchanges. The Company will then repair other main distribution lines.

B. **Service Priority**

The priorities for service restoration are generally as follows:

1) **Protect Public Safety**

The Company will clear downed power lines and ensure that Facilities such as hospitals, fire and police departments, and utilities have power.

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2) **Repair Transmission Lines to Substations**

The Company will first make the necessary repairs to the transmission system connecting generation facilities to substations in order to ensure system stability. The Company will then make the necessary repairs to transmission lines, substations, and distribution facilities that connect substations to critical Customers. Next, the Company will continue to repair remaining transmission lines and substations after service is restored to critical Customers' service addresses.

3) **Repair Substations**

The Company will repair substations making it possible to restore service to large numbers of Customers.

4) **Repair Distribution Lines**

The Company will repair distribution lines serving critical Customers as well as lines that may be blocking streets or highways.

5) **Repair of Tap Lines**

After the Company repairs distribution lines, it will repair tap lines that serve smaller groupings, such as Residential Customers.

6) **Repair of Individual Service Connections**

The Company will repair individual service connections last. If Customer-owned equipment has been damaged, such as the meter base, a licensed electrician must repair it before the Company can restore service. Such repairs are the responsibility of the Customer.

C. **Other**

The Company will not give priority restoration to any Customer, non-utility generator or ESS, but will employ the above process over the Company's entire territory served.

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RULE C (Concluded)



7. **Relocation, Removal, or Rearrangement of Facilities**

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B. **Public Works Project**

The Company will bear the cost for relocation, rearrangement or removal of Facilities within the public right-of-way under the following circumstances unless an ordinance, state law, a franchise agreement, or a form of private agreement specifies different cost responsibilities:

- 1) The relocation, removal or rearrangement meets the definition of a qualifying Public Works Project. A qualifying Public Works Project is defined as a project or improvement that: (a) is located on, or requires changes to, the public right-of-way, or on land that will be dedicated as public right-of-way as part of the governmental approval process; and (b) meets one or both of the following criteria: (i) the majority of the funding for the project or improvement will come from governmental sources, including but not limited to system development charges paid to the local government entity and used as a credit toward the cost of the project or improvement; or (ii) the project or improvement is included in a ten year master plan, transportation systems plan, or comprehensive plan or System Transportation Improvement Plan adopted or approved through a public process by the governmental entity having jurisdiction over the public right-of-way.

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- 2) The governmental entity having jurisdiction over the public right-of-way has coordinated with the Company and discussed the Public Works Project's scope and schedule in accordance with Oregon law;
- 3) The Company's overall project can generally be scheduled during Scheduled Crew Hours (excluding load transfers which may need to be performed outside of normal work hours) unless applicable regulations or ordinances specify otherwise; and

C. **Easement**

Notwithstanding any language in this Rule to the contrary, the requesting party will bear the costs for permanently relocating Facilities that at the time of the request are located on a private easement granted to the Company or governed by some other private right granted to or obtained by the Company, regardless of status as qualifying Public Works Project or otherwise. A public utility easement ("PUE") for the use of public utility facilities that is granted to or managed by a city is not a private easement for the purposes of this Section C.

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RULE C (Concluded)