

ITEM NO. RM1

PUBLIC UTILITY COMMISSION OF OREGON  
AHD REPORT  
PUBLIC MEETING DATE: February 21, 2017

REGULAR \_\_\_ CONSENT \_\_\_ RULEMAKING X EFFECTIVE DATE N/A

DATE: February 8, 2017

TO: Public Utility Commission

FROM: Diane Davis *dd*

THROUGH: Michael Grant *MW*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION ADMINISTRATIVE HEARINGS DIVISION; (Docket No. AR 606) Adopts 2017 Edition of National Electrical Safety Code by rule amendment.

**AHD RECOMMENDATION:**

Adopt the proposed permanent rule changes in the attached draft order.

**DISCUSSION:**

This rulemaking adopts the latest edition of the National Electrical Safety Code (NESC). PUC's adoption by rule amendment of the latest NESC edition requires subject operators to stay up to date with current national standards and practices used in the construction, operation, and maintenance of electric supply lines and communication lines.

On the last day of the comment period, January 23, 2017, Idaho Power Company filed comments in support of the rule amendment. No other written comments were received.

**PROPOSED COMMISSION MOTION:**

Adopt permanent rule changes to OAR 860-024-0010 as set forth in Appendix A of the attached draft order.

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

AR 606

In the Matter of  
Adopting the 2017 Edition of the National  
Electrical Safety Code.

ORDER

DISPOSITION: RULE CHANGES ADOPTED

**I. INTRODUCTION**

We opened this rulemaking to adopt the 2017 Edition of the National Electrical Safety Code (NESC) in our rules. Every five years, the NESC is revised by a volunteer group of industry experts with the Institute of Electrical and Electronics Engineers (IEEE) acting as the secretariat, and then is approved by the American National Standards Institute. The 2017 NESC has an effective date of February 1, 2017.

**II. PROCEDURAL HISTORY**

On December 8, 2016, we filed a Notice of Proposed Rulemaking and Statement of Need and Fiscal Impact for this rulemaking with the Secretary of State, and we provided notice to all interested persons on the service lists established under OAR 860-001-0030(1)(b) and to legislators specified in ORS 183.335(1)(d). Notice of the rulemaking was published in the January 2017 *Oregon Bulletin*. The notice established a comment due date of January 23, 2017. Idaho Power Company submitted brief written comments supporting the adoption of the 2017 NESC. No other written comments were filed.

**III. PROPOSED RULEMAKING**

This rulemaking adopts the 2017 Edition of the NESC. Adoption by rule of this current version of the NESC requires subject operators to stay up to date with current national standards and practices used in the construction, operation and maintenance of electric supply lines and communication lines.

**IV. ORDER**

IT IS ORDERED that:

1. The rule changes to OAR 860-024-0010 are adopted as set forth in Appendix A to this order.
2. The rule changes will be effective upon filing with the Secretary of State.

Made, entered, and effective \_\_\_\_\_.

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**Lisa Hardie**  
Chair

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**John Savage**  
Commissioner

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**Stephen M. Bloom**  
Commissioner

A person may petition the Public Utility Commission of Oregon for the amendment or repeal of a rule under ORS 183.390. A person may petition the Oregon Court of Appeals to determine the validity of a rule under ORS 183.400.

**Construction, Operation, and Maintenance of Electrical Supply and Communication Lines**

Every operator shall construct, operate, and maintain electrical supply and communication lines in compliance with the standards prescribed by the ~~2012~~2017 Edition of the National Electrical Safety Code approved ~~June 3, 2011~~April 26, 2016, by the American National Standards Institute.

[Publications: Publications referenced are available for review from the Commission.]

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

Stats. Implemented: ORS 757.035

Hist.: PUC 164, f. 4-18-74, ef. 5-11-74 (Order No. 74-307); PUC 173, f. & ef. 1-14-76

(Order No. 76-037); PUC 1-1978, f. 1-13-78, ef. 2-13-78 (Order No. 78-076);

PUC 3-1981, f. & ef. 6-4-81 (Order No. 81-361); PUC 12-1984, f. & ef. 6-5-84 (Order No.

84-424); PUC 11-1987, f. & ef. 10-8-87 (Order No. 87-861); PUC 6-1990, f. & cert. ef. 5-25-

90 (Order No. 90-833); PUC 11-1993, f. & cert. ef. 6-23-93 (Order No. 93-809; PUC 13-

1994, f. & cert. ef. 8-31-94 (Order No. 94-1243); PUC 7-1997, f. & cert. ef. 2-6-97 (Order

No. 97-032); PUC 9-2002, f. & cert. ef. 2-26-02 (Order No. 02-119); PUC 6-2007, f. & cert

.ef. 5-14-07 (Order No. 07-179); PUC 5-2008, f. & cert. ef. 12-29-08 (Order No. 08-599);

PUC 2-2012, f. & cert. ef. 3-9-12 (Order No. 12-081)