



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

April 3, 2015

Public Utility Commission of Oregon
Attn: Filing Center
3930 Fairview Industrial Drive SE
P.O. Box 1088
Salem, OR 97308-1088

RE: Advice No. 15-09, Rule C Customer Attachment to Facilities

Portland General Electric (PGE) submits this filing pursuant to Oregon Revised Statutes (ORS) 757.205 and 757.210, for filing proposed tariff sheets associated with Tariff P.U.C. No. 18, with a requested effective date of **May 20, 2015**:

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
Original Sheet No. C-15

The purpose of this filing is to clarify under what circumstances the Company will relocate its facilities at its own expense and when the requester will pay some or all of the costs. More specifically, the revisions will make more clear what the Company considers a "Public Works Project" for the purposes of allocating responsibility for the associated relocation and removal costs for facilities in the public rights of way absent a different agreement. Further, the tariff makes explicit that 'rearrangement of facilities' is also included in the cost allocations that apply to relocation and removal of facilities.

History of this filing

PGE originally proposed changes to its Tariff Rule C in September 2013 (Advice 13-19) to be effective in October 2013. PGE then submitted five supplemental filings to allow additional time for review and discussions with stakeholders, and then withdrew the filing in April 2014 noting PGE's intent to revise the filing. Subsequent to PGE's filing of Advice 13-19, PGE engaged in discussions with the City of Portland and other interested parties. Our filing today contains modified language to address some of the concerns raised. Most notably, PGE modified its definition of public works projects to include projects included in a publicly adopted master, comprehensive or transportation plan, regardless of funding source. Also, in response to the Oregon Department of Transportation concerns, PGE acknowledged other regulations that could affect when a project could be scheduled.

Tariff changes

1) Public Works Project defined – Section 7 (B):

Defines a qualifying Public Works Project as a project or improvement that will be owned by a local, state, or federal governmental entity, is located in, or requires changes to the public right of way, and either the majority of the funding for the project or improvement will come from city, county, state, regional or federal government sources, or is included in a publicly adopted master, comprehensive or transportation plan, regardless of funding source. Generally, if a project meets the definition of a Public Works Project, then the Company pays for the cost of relocation, rearrangement or removal of its facilities in the public right of way.

2) Cost Responsibilities – Section 7 (A) (B) and (C):

Differentiates cost responsibilities by requesting party, including where Public Works Projects are concerned. When the relocation, removal or rearrangement of the Company's facilities are requested by a non-governmental entity, including but not limited to builders, developers, Customers and Customers' agents, even if the cost for the relocation, removal or rearrangement of Facilities is necessary to meet the requirements of the requesting party's government issued permit, such work will be performed by the Company at the requesting party's expense. However, when the relocation, removal or rearrangement of Facilities is for a Public Works Project and certain requirements are met, the cost will be borne by the Company unless a state law, a city or local ordinance, a franchise agreement, or other private agreements specifies different cost responsibilities. When, at the time of the request, the Facilities are located on a private easement or governed by some other private right granted to or obtained by the Company, cost for such relocation, removal or rearrangement work will be borne by the requesting party regardless of whether a Public Works Project is involved or the requester is a governmental entity.

3) Requirements for Public Works Project – Section 7 (B) 1, 2, and 3:

PGE adds language from new franchise agreements, agreed to by most cities in our service territory that clarifies a governmental entity's responsibilities when facilitating a Public Works Project. These include: a) discuss and coordinate with the Company the Public Works Project's scope and schedule in accordance with ORS 758.025; and b) permit the Company to perform overall project work during normal work hours, excluding load transfers, unless applicable regulations or ordinances specify otherwise.

4) Project costs within two years of completion – Section 7 (B) 4:

The tariff makes clear that the governmental entity must pay the Company for work performed when the Company relocates, removes or rearranges Facilities related to an earlier qualifying Public Works Project, within two years of the earlier work. This rule applies unless an applicable franchise agreement specifies differently.

5) Exceptions to General Rule – Section 7 (C) 1, 2 and 3

This section describes additional circumstances that are an exception to the general rule that the requesting party, not the Company, pay the costs of relocation, rearrangement or removal of overhead or underground Facilities. In addition, where the Company is asked to place its overhead Facilities underground, underground conversion costs, as defined in Oregon Administrative Rule (OAR) 860-022-0046, will be paid by the requesting party even if the requesting party is not a local government and therefore the forced underground conversion rule (OAR 860-022-0046) does not apply. Also, when Company crew work is performed outside standard crew hours, the requesting party pays all costs plus loadings, unless applicable regulations or ordinances specify otherwise.

6) New Tariff Sheets:

Due to expanded information in the tariff, pagination was necessary and a new tariff sheet is added as the result. As a courtesy we are including red lined tariff sheets with the proposed changes as Attachment A.

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 move its Facilities, and 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@pgn.com

Sincerely,



Karla Wenzel
Manager, Pricing and Tariffs

Enclosures

7. **Relocation, Removal or Rearrangement of Facilities** (C)

A. **Generally**

Any relocation, removal or rearrangement of Facilities requested by a party, (C)
including but not limited to builders, developers, Customers or Customers' agents, (C)
will be performed by the Company at the requesting party's expense, even if the (C)
relocation, removal or rearrangement will be necessary to meet the requirements (N)
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 (N)
equal to the estimated original cost of any installed Facilities to be removed, less (C)
estimated salvage and less depreciation, plus estimated removal cost, plus any
operating expense associated with the removal, rearrangement or relocation. (C)

B. **Public Works Project**

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

1) The relocation, removal or rearrangement meets the definition of a qualifying (C)
Public Works Project. A qualifying Public Works Project is defined as, a (N)
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; or (ii) the project or improvement is
included in a ten year master plan, transportation systems plan, or
comprehensive plan adopted or approved through a public process by the
governmental entity having jurisdiction over the public right-of-way. (N)

2) The governmental entity having jurisdiction over the public right-of-way has (C)(N)
coordinated with the Company and discussed the Public Works Project's
scope and schedule in accordance with ORS 758.025; (N)

(M)

- 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 (M)
(C)
(C)
- 4) The Public Works Project does not require 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, unless an applicable franchise agreement specifies different conditions. (C)(N)
(N)
- 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 or governed by some other private right granted to or obtained by the Company regardless of status as qualifying Public Works Project or otherwise. (C)
(C) (M)
- D. **Additional Exception to General Rule in Section 7.A.** (D)
(C)
- (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: (C)
(C)
- 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 (D)
(T)
- 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 (T)
(C)

- 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
(T) (M)
(N)
(N)
 - d. The purpose is to relocate a meter to a more accessible location approved by the Company; or
(T)
 - e. Relocation of a service drop is the only work requested, subject to additional cost allocations specified in Rule I.
(T)(C)
(C) (M)
(D)
(N)
- 2) For underground relocations, unless the Company is required to collect the conversion costs from customers in accordance with OAR 860-022-0046, the requesting party is responsible for the conversion costs as that term is defined in OAR 860-022-0046.
- 3) All work must be performed by Company crews during Scheduled Crew Hours as specified in Section D(1) above, unless applicable regulations or ordinances specify otherwise. If there are no applicable regulations or ordinances that specify otherwise, and other than Scheduled Crew Hours are requested, the requesting party must pay for all costs plus loadings incurred by the Company.
(N)
- F. **Temporary Relocations**
(T)
(C)
- 4) The requesting party will bear the costs of 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 the temporary relocation is covered by Section B. A temporary relocation is defined as any relocation where the Company must move its facilities two or more times within a three-year period.
(C)
(C)

8. **Service Restoration**

(M)

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.

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.

(M)

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.

(M)

(M)

RULE C (Concluded)

PGE Advice No. 15-09
Attachment A
Red Lined Tariff Sheets

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

A. Generally

Any relocation, removal or rearrangement of Facilities ~~for a~~ requested by a party, including but not limited to builders, developers, Customers or Customers' agents, ~~that is for their convenience~~ 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 ~~in advance~~ 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

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

- 1) The relocation, removal or rearrangement ~~rearrangement can be identified to be for a~~ meets the definition of a qualifying Public Works Project. ~~Examples of Public Works Projects include but are not limited to public transit or a road widening financed by public funds; 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; or (ii) the project or improvement is included in a ten year master plan, transportation systems plan, or comprehensive plan adopted or approved through a public process by the governmental entity having jurisdiction over the public right-of-way.~~

- 2) ~~Reasonable notice is provided to the Company~~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 ORS 758.025;
- 3) The Company's overall project can generally be scheduled during ~~normal work~~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) The Public Works Project does not require the Company to ~~make temporary relocations~~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, unless an applicable franchise agreement specifies different conditions.

C. **Easement**

~~Notwithstanding any language in this Rule to the contrary, the requesting party will bear the C~~osts for permanently relocating Facilities that at the time of the request are located on a private easement or governed by some other private right granted to or obtained by the Company will be borne by the requesting party regardless of status as qualifying Public Works Project or otherwise.

~~D. **Permit Job**~~

~~Where it can be identified that the requesting party has received a permit through a city or county for work within the public right-of-way that is required for the requesting party's construction project, the requesting party is responsible for all of the costs associated with the necessary rearrangement of Facilities.~~

~~E.D. **Relocation of Overhead or Underground Facilities at Company Expense**~~**Additional 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 service distribution Facilities on or adjacent to the Premises ~~will be performed at Company expense~~, under any one of the five circumstances listed below:
~~For underground relocations, the requesting party is responsible for any necessary trenching, boring, backfilling, conduit, paving, vaults and pads.~~

- 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

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- 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 cCosts exceeding the Line Extension Allowance ~~must be borne by the Customer~~; 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) For underground relocations, unless the Company is required to collect the conversion costs from customers in accordance with OAR 860-022-0046, the requesting party is responsible for the conversion costs as that term is defined in OAR 860-022-0046.

2)3) All work must be performed by Company crews during Scheduled Crew Hours as specified in Section D(1) above, unless applicable regulations or ordinances specify otherwise. If there are no applicable regulations or ordinances that specify otherwise, and other than Scheduled Crew Hours are requested, the requesting party must pay for all costs plus loadings incurred by the Company.

F. Temporary Relocations

3)4) The requesting party will bear the costs of temporary relocation w~~hen, 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 the temporary relocation is covered by Section B~~the costs of the temporary relocation will be borne by the requesting party regardless of its status as a Public Works Project or otherwise.~~ A temporary relocation is defined as any relocation where the Company must move its facilities two or more times within a three-year period.

If more than one trip is required to accommodate the Customer, the Customer will be billed all costs plus loadings incurred for the additional trips.

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8. **Service Restoration**

A. **Generally**

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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.

RULE C (Concluded)