

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

Public Utility Commission	860
Agency and Division	Administrative Rules Chapter Number

Diane Davis	PO Box 2148, Salem, OR 97302	(503) 378-4372
Rules Coordinator	Address	Telephone

RULE CAPTION

In the Matter of a Rulemaking Regarding Energy Utility Billing Error Reporting

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

October 4, 2012	10:00 am	550 Capitol Street NE – 1 st Floor Salem Oregon 97301	Patrick Power
Hearing Date	Time	Location	Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.
ADOPT: 860-021-0170

AMEND:

REPEAL:

RENUMBER:

AMEND & RENUMBER:

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

Other Auth.:

Stats. Implemented: ORS 756.040 & 757.020

RULE SUMMARY

Billing error service quality measures applicable to Portland General Electric Company and NW Natural sunset this year. These service quality measures include billing error reporting requirements for the two utilities. Information from the billing error reporting is used by PUC Staff to help identify systemic problems and trends with utility billing. Because of the usefulness of this information, Staff's proposed rule expands the reporting requirements to all regulated energy utilities to allow Staff to continue to identify systemic problems and trends with utility billings and to work with the companies to reduce the number of incorrect bills sent to utility customers.

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 567 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 2148, Salem, Oregon 97308-2418. 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=17809>. 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_tofc.html.

Participants wishing to monitor the hearing by telephone must contact Diane Davis at diane.davis@state.or.us or (503) 378-4372 by close of business September 27, 2012, to request a dial -in number. The Commission strongly encourages those planning to present oral comment at the hearing to attend in person.

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

October 18, 2012

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

/s/Diane Davis

Diane Davis (diane.davis@state.or.us)

8/14/12

Signature

Printed name

Date

*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm 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. ARC 920-2005

Secretary of State

STATEMENT OF NEED AND FISCAL IMPACT

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

Public Utility Commission

860

Agency and Division

Administrative Rules Chapter Number

In the Matter of a Rulemaking Regarding Energy Utility Billing Error Reporting.

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 Energy Utility Billing Error Reporting

Statutory Authority: ORS Ch. 183, 756 & 757

Other Authority:

Stats. Implemented: ORS 756.040 & 757.020

Need for the Rule(s): Billing error service quality measures, which include reporting requirements, applicable to Portland General Electric Company and NW Natural sunset in September 2012. The billing error reporting is used by PUC Staff to help identify systemic problems or trends with utility billing. Because of the usefulness of this information, Staff's proposed rule expands the reporting requirements to all regulated energy utilities to allow Staff to continue to identify systemic problems and trends with utility billings and work with the companies to reduce the number of incorrect bills sent to utility customers.

Documents Relied Upon, and where they are available:

PUC Order No. 05-1055 found online at <http://apps.puc.state.or.us/orders/2005ords/05-1055.pdf>PUC Order No. 05-1250 found online at <http://apps.puc.state.or.us/orders/2005ords/05-1250.pdf>ORS 756.040 and 757.020 found online at <http://www.leg.state.or.us/ors/home.htm>

Fiscal and Economic Impact: According to Staff, the six investor-owned energy utilities subject to the proposed rule state that there is no economic impact to them. As a result of the rule, customers may receive corrected billings which may be in the favor of the customer or of the utility.

Statement of Cost of Compliance:

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

There is no substantial cost of compliance for state agencies or units of local governments. The PUC staff believes that any cost of compliance monitoring for the PUC will not be over and above its normal operating costs.

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

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

Small businesses are not subject to this rule. Only the investor-owned regulated energy utilities (Portland General Electric Company; PacifiCorp, dba Pacific Power; Idaho Power Company; NW Natural; Avista Utilities; and Cascade Natural Gas are subject to the proposed rule.

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

When a reportable billing error occurs, the subject utility will need to file a report with the PUC Consumer Services Section. In addition, each of the six regulated energy utilities will be required to file

an annual report with the Commission summarizing the reportable billing errors for the year. These recordkeeping and reporting activities are within the current operations of two the subject utilities, and will require a minimal amount of utility staff time to compile and file the reports.

c. Equipment, supplies, labor and increased administration required for compliance:
PUC staff expects that the proposed rule will require a minimal amount of utility staff time to compile and file the reports.

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

Because small businesses are not subject to the rule, they were not involved. The PUC Staff held informal discussions with the subject utilities prior to drafting its final proposed rule.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

As stated above, the PUC staff held informal discussions with the subject utilities prior to drafting its final proposed rule.

/s/Diane Davis

diane.davis@state.or.us

Diane Davis

8/14/12

Signature

Printed name

Date

860-021-0170

Billing Error Reporting

(1) As used in this rule, “billing error” means an error in the calculation of amounts billed to customers of energy utilities that:

(a) Is due to a single, specific event, reason, or condition, and

(b) Resulted in the issuance of a corrected bill.

(2) Each energy utility must send an electronic mail message notifying the Consumer Services Section of the Commission within 10 business days of the date the energy utility first becomes aware of:

(a) A single billing error that the utility estimates affected 1.5 percent or more of customer bills issued in any billing month, and

(b) Any error, in a single billing month, affecting a single customer by \$25.00 or more.

(3) An energy utility must submit a final written report of the billing error to the Consumer Services Section of the Commission no later than 60 calendar days from the date that the billing error was first reported to the Commission or was first discovered by the energy utility, whichever date is earlier. This report must include the following information:

(a) A description and cause, if known, of the billing error;

(b) The number of bills affected by the billing error;

(c) The number of bills adjusted due to the billing error;

(d) The time period in which the billing error affected customer bills;

(e) The actions taken to correct the error; and

(f) The actions taken to prevent the same error from occurring in the future.

(4) Each energy utility must file an annual report to the Commission, through the filing center, summarizing all billing errors that occurred during the prior calendar year. The annual report must be submitted within 60 calendar days following the end of the calendar year.

Statutory Authority: ORS Ch. 183, 756 & 757

Statutes Implemented: ORS 756.040 & 757.020.

History: NEW