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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 860
PUBLIC UTILITY COMMISSION

FILED

03/01/2018 5:16 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: In the Matter of Rulemaking Regarding Service Disconnection Reports for Energy Utilities.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/01/2018 5:00 PM

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

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Salem, OR 97308

Filed By:
Diane Davis
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 04/17/2018

TIME: 10:00 AM

OFFICER: ALJ Power

ADDRESS: Public Utility Commission

Hearing Room

201 High Street SE

Salem, OR 97301

NEED FOR THE RULE(S):

This rule is needed to provide information to the Commission and its Staff about the numbers of residential customers being disconnected for non-payment and the timeframe for reconnection. This information will be useful to Staff, consumer organizations, and utilities to monitor programs to reduce involuntary disconnections.

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 602 on comments and attach them to an e-mail to the Commission's Filing Center at PUC.FilingCenter@state.or.us.

Interested persons may review all filings online at <http://apps.puc.state.or.us/edockets/docket.asp?DocketID=20263>. 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.

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 April 13, 2018], to request a dial -in number. The Commission strongly encourages those planning to present oral comment at the hearing to attend in person.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

ORS 756.040 and 756.060 found online at https://www.oregonlegislature.gov/bills_laws/ors/ors756.html

FISCAL AND ECONOMIC IMPACT:

This rule will create some costs for the regulated utilities related to the collection and reporting of the required data. The information from the data collected and reported may be used by the PUC, the utilities, and consumer agencies to improve program options for residential customers facing disconnection for nonpayment.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) No state agencies, units of local government or members of the public are likely to be economically affected by the rule. The data produced by the regulated energy utilities subject to the rule has the potential to provide information to consumer organizations that may help to tailor remedies to residential disconnections for nonpayment.

(2) There are no small businesses subject to the rule -- only regulated energy utilities are subject to the rule. Therefore, the expected costs, if any, for reporting, recordkeeping, administrative activities, professional services, equipment, supplies, and labor do not directly impact small businesses. The regulated utilities may incur costs for programming for the data collection and for reporting data.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

The entities subject to this rule are not small businesses. However, the PUC Staff held workshops to develop the rules and broad notice was given to interested stakeholders.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The PUC Staff held a workshop and two rounds of information exchange with impacted stakeholders.

ADOPT: 860-021-0408

RULE SUMMARY: This rule establishes the reporting requirements for energy utilities regarding residential service disconnections.

CHANGES TO RULE:

860-021-0408

Disconnect Reporting Rule

(1) As used in this rule:¶

(a) "Energy assistance recipient" means a residential customer who has received bill payment assistance with an energy bill from any federal, state, ratepayer-funded, or utility-supported bill payment assistance fund or program at least once within the past 12 months.¶

(b) "Companywide" means the geographic area served by a particular energy utility within the state of Oregon.¶

(c) "Local service area" means a smaller geographic unit within an energy utility's companywide service area, such as zip code, city, county, or other similar unit. ¶

(2) Each energy utility must file a quarterly report with the Commission detailing the number of residential disconnections for non-payment and subsequent reconnections as prescribed in this rule. An electronic report must be filed in a text-searchable Microsoft Word, Microsoft Excel, or .pdf (Adobe Acrobat) format.¶

(a) For quarterly reporting purposes, the following four time periods apply: February 1 to April 30, May 1 to July 31, August 1 to October 31, and November 1 to January 31.¶

(b) Each energy utility must file its initial quarterly report following the first full quarter after the effective date of this rule, unless an alternative initial reporting date is set for the utility by the Commission's Consumer Services Section.¶

(c) The energy utility must file a quarterly report as required under this rule within 20 days of the end of each reporting period.¶

(3) The quarterly report must provide the following information for each month within the quarter for an energy utility's residential accounts:¶

(a) On a companywide basis:¶

(A) Number of active residential accounts:¶

(B) Number of service disconnections for non-payment:¶

(C) Percentage of accounts with service disconnections for non-payment:¶

(D) Number of service disconnections for non-payment on energy assistance recipient accounts:¶

(E) Number of service disconnections for non-payment on medical certificate holder accounts:¶

(F) Number of service disconnections reported under both paragraph (D) and paragraph (E) above, i.e. disconnections for non-payment on medical certificate holder accounts that are also energy assistance recipient accounts:¶

(G) Number of service reconnections following a disconnection for non-payment on the same day or next calendar day following disconnection (Days 0-1); and¶

(H) Number of service reconnections following a disconnection for non-payment that occur more than one day and within 7 calendar days following disconnection (Days 2-7).¶

(b) For each local service area within the companywide area used for reporting:¶

(A) Number of active residential accounts:¶

(B) Number of service disconnections for non-payment:¶

(C) Number of service disconnections for non-payment on energy assistance recipient accounts:¶

(D) Number of service disconnections for non-payment on emergency medical certificate holder accounts:¶

(E) Number of service disconnections reported under both paragraph (C) and paragraph (D) above, i.e. disconnections for non-payment on medical certificate holder accounts that are also energy assistance recipient accounts; and¶

(F) Number of days on which the energy utility was required to impose a moratorium on service disconnection for severe weather per OAR 860-021-0407. ¶

(c) Zip codes must be used to identify a local service area unless a different unit is pre-approved by the Commission's Consumer Services Section for a utility's use in its reporting under this rule.¶

(4) Upon request of the Commission's Consumer Services Section, when made within one year of the date a quarterly report is filed with the Commission, the energy utility must provide a breakdown by zip code of the of service disconnection data reported under section (3) of this rule.

Statutory/Other Authority: ORS 756.060

Statutes/Other Implemented: ORS 756.040