

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

FILED
10-14-14 2:05 PM
ARCHIVES DIVISION
SECRETARY OF STATE

Public Utility Commission of Oregon

860

Agency and Division

Administrative Rules Chapter Number

Diane Davis

(503) 378-4372

Rules Coordinator

Telephone

Public Utility Commission of Oregon, PO Box 1088, Salem, OR 97308-1088

Address

RULE CAPTION

In the Matter of a Rulemaking to Update ANSI Edition adopted in Vegetation Pruning Standards.

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

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing

ADOPT:

AMEND:

860-024-0017

REPEAL:

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

ORS Ch. 756, 757, 758

Other Authority:

Statutes Implemented:

ORS 757.035, 758.280-286

RULE SUMMARY

This rulemaking proposes to update the adopted American National Standard for Tree Care Operations, ANSI A300 (Part 1) from the 2001 edition to the 2008 edition, approved May 1, 2008 by the American National Standards Institute.

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 585 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 1088, Salem, Oregon 97308-1088.

Interested persons may review all filings online at <http://apps.puc.state.or.us/edockets/docket.asp?DocketID=19233>. 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.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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

11-25-2014 5:00 p.m.

Diane Davis

diane.davis@state.or.us

Rules Coordinator Name

Email Address

Last Day (*m/d/yyyy*) and Time
for public comment

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking accompanies this form.

FILED
10-14-14 2:05 PM
ARCHIVES DIVISION
SECRETARY OF STATE

Public Utility Commission of Oregon
Agency and Division

860
Administrative Rules Chapter Number

In the Matter of a Rulemaking to Update ANSI Edition adopted in Vegetation Pruning Standards.

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 to Update ANSI Edition adopted in Vegetation Pruning Standards

Statutory Authority:

ORS Ch. 756, 757, 758

Other Authority:

Statutes Implemented:

ORS 757.035, 758.280-286

Need for the Rule(s):

The update to the rule is necessary to adopt the current national standard.

Documents Relied Upon, and where they are available:

American National Standard for Tree Care Operations, ANSI A300 (Part 1) 2008 (copyrighted material) is available for purchase from Tree Care Industry Association at <http://tcia.org/business/ansi-a300-standards/part-1> and is available for review at the PUC at 3930 Fairview Industrial Drive SE, Salem, Oregon.

Fiscal and Economic Impact:

The adoption of the current national standard for pruning is not anticipated to create additional costs or savings to the subject utilities. The differences between the 2001 edition and the 2008 edition have minimal impact on the Oregon utilities subject to the standard. Adopting the more recent edition may help to ensure consistency for those electric utilities with multi-state operations.

Statement of Cost of Compliance:

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

Because the more recent edition of the national standard does not contain major significant changes from the previous edition, especially with regard to vegetation native to Oregon, it is anticipated that the costs to comply with the more recent edition of the standard will be similar to the costs of compliance to the 2001 edition. Only electric utilities, as defined in ORS 758.505, are subject to the rule. The PUC incurred the cost of purchasing the more recent edition of the standard.

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

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

Electric utilities, as defined in ORS 758.505, are subject to the rule. None of these entities meet the statutory definition of a small business.

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

The adoption of the more recent edition of the national standard is not anticipated to change the current reporting, recordkeeping or other administrative activities required for compliance.

c. Equipment, supplies, labor and increased administration required for compliance:

The adoption of the more recent edition of the national standard is not anticipated to change the current equipment, supplies, labor, or administration for compliance.

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

Small businesses were not involved. The change updates the rule to adopt the current national standards.

Administrative Rule Advisory Committee consulted?:No

If not, why?:

The change updates the rule to adopt the current national standards.

11-25-2014 5:00 p.m.

Diane Davis

diane.davis@state.or.us

Last Day (m/d/yyyy) and Time
for public comment

Printed Name

Email Address

AR 585
Proposed Rule Amendment

860-024-0017

Vegetation Pruning Standards

An operator that is an electric utility as defined in ORS 758.505 ~~shall~~must perform tree and vegetation work associated with line clearance in compliance with the American National Standard for Tree Care Operations, ANSI A300 (Part 1)-~~2001~~2008 Pruning, approved ~~May 22, 2001~~May 1, 2008, by the American National Standards Institute.

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

Stat. Auth.: ORS Ch. 756, ~~ORS 757~~, & ~~ORS 758~~

Stats. Implemented: ~~HB 2493~~ & ORS 757.035, 758.280-758.286

Hist.: PUC 16-2002, f. & cert. ef. 6-14-02