

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

AR 464

In the Matter of a Proposed Rulemaking )  
to Adopt Rules for the Inclusion of ) **RULING**  
Government Human Services Information )  
in Telephone Directories. )

**DISPOSITION: MOTION TO RECONSIDER RULING DENIED**

On March 8, 2004, I issued a Ruling excluding late-filed comments from the record in this proceeding. In so doing, I noted that ORS 183.335(14) *requires* the exclusion of late-filed comments and that Qwest Supplemental Comments could not be excluded even though they were filed after the close of the public hearing because they complied with the precise wording of the Notice.

The City of Portland has asked me to reconsider my ruling and accept its late-filed Comments so that the record will be “fair, factual and accurate.”

**Discussion.** Oregon law does not provide the Commission with the authority to selectively reopen rulemaking proceedings for the comments of specific persons or agencies. In the course of reaching a decision on whether or not to adopt a particular rule, the Commission is free to accord differing weights to comments from various parties as it sees fit in furthering the public interest. It will do so in this rulemaking as it has done in those previously undertaken.

**RULING**

The Motion to Reconsider the Ruling Excluding Late-Filed Comments is **DENIED.**

Dated at Salem, Oregon, this 10<sup>th</sup> day of March, 2005.

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Allan J. Arlow  
Administrative Law Judge