

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 498

In the Matter of the Adoption of Temporary)
Rules to Implement SB 408 Relating to Annual) **RULING**
Tax Reports and Automatic Adjustment Clauses)
Relating to Public Utility Taxes.)

DISPOSITION: SCHEDULE ADOPTED

On October 14, 2005, PacifiCorp filed a petition to repeal or amend temporary rule OAR 860-022-0039. Additionally, PacifiCorp asked for an extension of time under OAR 860-014-0093 to comply with specific sections of OAR 860-022-0039.

Under ORS 183.390, the Commission must either deny the petition or begin rulemaking proceedings no later than 90 days after the petition is filed. Arguably, the Commission has already complied with this requirement as a rulemaking proceeding to adopt permanent rules has already begun (Docket No. AR 499). It is in the best interest of all participants, however, to resolve this matter in a timely manner. Therefore, I have set the following schedule for this petition:

ACTION	DUE DATE
Responses to PacifiCorp petition	November 3, 2005
Department of Justice legal opinion	December 19, 2005
ALJ report & order posted on website	January 3, 2006
Commission public meeting	January 10, 2006
Order issued	January 12, 2006.

Until further notice, PacifiCorp is not required to file additional information to comply with the current definition of “properly attributed” pursuant to OAR 860-022-0039.

Dated at Salem, Oregon, this 18th day of October, 2005.

Kathryn A. Logan
Administrative Law Judge