

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 506

In the Matter of)	
)	
Rulemaking to Amend and Adopt Permanent)	MEMORANDUM
Rules in OAR 860, Divisions 24 and 28,)	
Regarding Pole Attachment Use and Safety.)	

DISPOSITION: SCHEDULE SET

On March 7, 2006, the Public Utility Commission of Oregon (Commission) opened a docket to consider amendment and adoption of rules in Divisions 24 and 28, relating to pole and conduit attachment use and safety. In light of comments received at the public meeting on March 7, 2006, the Commission directed the docket to be held in two sequential phases: first, to consider rules in Division 24; and second, to consider rules in Division 28. The Commissioners also made it clear that they wanted all rules in both Divisions resolved by the end of this calendar year. As a result, the following schedule has been adopted:

<u>Division 24</u>	Initial rules to be filed by March 15, 2006, with the Secretary of State
April 10	Proposed issues list
April 17	Reply to proposed issues list
April 21	ALJ resolves issues list, if necessary
May 1	First round of comments, which will also set forth positions for Commissioners to consider in advance of the workshop
May 11	Participant workshop on general Division 24 issues
May 18 AM	Participant workshop on prioritization of repairs
May 18 PM	Workshop with Commissioners; consider prioritization of repairs, and other agenda items submitted by participants by May 15
May 25	Second round of comments
June 1	Hearing – last day to submit comment on Division 24 rules

After this, the Commission will issue an order regarding Division 24 rules.

<u>Division 28</u>	Initial rules to be filed by June 15, 2006, with the Secretary of State
July 21	Proposed issues list
August 4	Reply to proposed issues list
August 21	ALJ resolves issues list, if necessary
September 18	First round of comments, which will also set forth positions for Commissioners to consider in advance of the workshop
October 5	Participants workshop
October 12 AM	Participants workshop
October 12 PM	Workshop with Commissioners; consider costs of hearing and other agenda items submitted by participants by October 9
Oct 26	Second round of comments
Nov 1	Hearing – last day to submit comment on Division 28 rules

After this, the Commission will issue an order regarding Division 28 rules.

The Oregon Joint Use Association (OJUA) will take the lead in assembling an issues list, using the issues suggested by Staff as a guideline. The issues list will be used as a framework for structuring comments and discussing issues. The OJUA will work with all participants in the docket in assembling the issues list. If a participant feels that its concerns are not represented by the OJUA's list, it may file separately, and the ALJ will resolve any disputes about the issues in this docket.

One participant asked what was needed to be considered active in the docket. No petition to intervene need be filed. An individual only needs to send an electronic mail to me requesting addition to the service list as a participant.

Another participant asked if the workshops would be recorded. Typically, they are not, particularly in contested cases where workshops are used for settlement discussions, which cannot be introduced as evidence. In this case, there is no plan to record workshops, in order to facilitate free discussions. However, upon request, it is possible to use digital recording and post the discussion on the web for everyone's access. Workshops with Commissioners and the hearings, conducted by an administrative law judge, will be recorded.

Dated at Salem, Oregon, this 10th day of March, 2006.

Christina M. Smith
Administrative Law Judge