

ISSUED: June 12, 2007

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 506

In the Matter of)	
)	
A Rulemaking to Amend and Adopt Rules in)	RULING
OAR 860, Divisions 024 and 028, Regarding)	
Pole Attachment Use and Safety (AR 506).)	

DISPOSITION: PETITION FOR RECONSIDERATION DISMISSED

On June 11, 2007, the Oregon Cable Telecommunications Association (OCTA) filed an application for clarification or reconsideration. Specifically, OCTA requests that the Commission change the rule language to remedy what it considers to be inconsistencies between the language in the rule and language in the order.

Through ORS 756.561 and OAR 860-014-0095, the Commission has the authority to consider an application for reconsideration of its order and has established the procedures by which it may reconsider its decision. However, those provisions apply only to the order, not the rule language. The mechanism for changing rule language is set out at the end of Order No. 07-137: "A party may petition the Commission for the amendment or repeal of a rule pursuant to ORS 183.390. A person may petition the Court of Appeals to determine the validity of a rule pursuant to ORS 183.400."

Rule language may not be changed through an application for reconsideration. For this reason, the application for reconsideration is dismissed.

Dated at Salem, Oregon, this 12th day of June, 2007.

Christina M. Hayes
Administrative Law Judge