Good morning Judge Smith. I'm Staff witness Bob Sipler.

Staff's testimony will be very short today. Staff submitted comments yesterday that incorporated only one change from our recommendation made in the June 1, 2006 hearing. This recommendation is to accept the industry proposal to reduce the minimum vegetation clearance related to infrequent intrusion, found in proposed Rule 024-0016 (5)(c)(B), from eighteen inches to six inches.

Yesterday's comments include a lot of specific information about misunderstood fiscal impacts related to the Division 24 rules. Staff included 3 short articles as exhibits 6, 7 and 8, that are well worth the reading time to hear from other industry experts with valuable perspectives on the issues contained in this rulemaking.

Staff believes the purpose of this rulemaking is to formulate needed clear and reasonable safety rules that are roughly equivalent to present (though less formal) policy requirements, and to ensure that the rules contain no escape clauses that would make the standards contained within the rules meaningless or unenforceable. The rules as presently proposed by Staff accomplish this purpose.

The claims that the proposed rules are onerous and expensive are not true. Staff can think of no clearer indication of this than to use the examples of PacifiCorp and Idaho Power, who perform inspection and vegetation management programs in other states they serve that are similar to Oregon programs, even though not required in those states. They clearly see the practicality and value of these programs. Some Idaho Power practices, such as repairing NESC violations in the year of discovery, exceed both the present and proposed rule requirements for the inspection and correction program.

The rules being proposed by Staff contain the needed elements to achieve fair, reasonable and enforceable utility safety standards. Staff recommends that the Commission adopt these rules as submitted in yesterday's comments.

Staff comments
8/23 public comment hearing