



**Portland General Electric Company**  
*Legal Department*  
121 SW Salmon Street • Portland, OR 97204  
503-464-8858 • facsimile 503-464-2200

**Barbara W. Halle**  
*Assistant General Counsel*

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Oregon Public Utility Commission  
Attention: Filing Center  
550 Capitol Street NE, Suite 215  
Salem, OR 97301-2551

**RE: AR 506, Phase II, Division 28, PGE's Issues List**

Enclosed for filing is PGE's Issues List for Phase II of AR 506. As a courtesy, we have provided an electronic copy of these documents to the parties of this docket, including the OJUA.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Halle", written in a cursive style.

Barbara W. Halle



**PGE's ISSUES LIST**  
**AR 506 Phase II**  
**Division 28**

**860-028-0020 Definitions**

Issue #1 The following definitions need modification either for clarity or substance:

- (2) Authorized Attachment Space
- (3) Carrying Charge
- (9) Governmental Entity.
- (10) Licensee
- (11) Make Ready Work
- (19) Permit
- (20) Pole Cost
- (21) Preconstruction Activity
- (26) Special Inspection
- (32) Unauthorized Attachment

Issue #2 A definition is needed for "Safety Clearance" as it is referenced in 860-028-0020(33).

Issue #3 A definition is needed for "Operator" as it is referenced in 860-028-0050(3).

**860-028-0050 General**

Issue #4 Section (2) regarding owner correction should be moved to 860-028-0120.

Issue #5 Section (3) regarding operators trimming vegetation should be moved to 860-028-0120.

**860-028-0060 Attachment Contracts**

Issue #6 Clarification is need for this section; for example, does it apply to licensees or occupants?

Issue #7 More wording is needed in Section (4). As written, the rule assumes only one way to document the parties' intent, which is too limited.

**860-028-0070 Resolution of Disputes for Proposed New or Amended Contractual Provisions**

Issue #8 This wording for the whole rule, including the title, should be reconsidered because as written, it is too limited in scope and does not address all the possible bases for a dispute.

Issue #9 Consideration should be given to making submittal of the dispute to the OJUA a first step in the complaint process.

### **860-028-0080 Costs of Hearing in Attachment Contract Disputes**

Issue #10 The rule should make clear that intervenors that are IOUs are not subject to payment of costs under this rule.

### **860-028-0100 New or Modified Attachments**

Issue #11 Section (1) should be eliminated. Government entities should not be excluded from the permit requirement as one of the primary purposes of the permits is to enable the pole owner to have the necessary information to operate its pole plant in compliance with the Commission Safety Rules. That obligation does not vary based on the type of entity attaching to the poles.

Issue #12 The timelines need consideration (see General comments below). The rule should also contain timelines for: a) the period between notifying the licensee of make ready and the response from licensee; and b) the period between granting the permit and the licensee completing construction. In addition, the permit should have a finite life, with an expiration date.

Issue #13 Section (4)(b) needs modification. The owner cannot provide realistic time estimates for make ready work when multiple parties are involved.

Issue #14 For safety reasons, presumptive approval [Section (4)(d)] is not acceptable. The presumption should be for denial.

### **860-28-0110 Rental Rates and Charges for Attachments by Licensees to Poles Owned by Public Utilities, Telecommunications Utilities, and Consumer-Owned Utilities**

Issue #15 Wording should be added to Section (2) to allow for an adjustment for inflation.

Issue #16 Discussion is needed on the cost elements listed in Section (3) to make sure that all costs incurred by the pole owner are appropriately collected from licensees.

Issue #17 Section (4)(c) needs modification to include electric equipment such as transformers, capacitors and switches.

Issue #18 Sections (7) and (8) as proposed by PGE in its earlier comments should be included.

### **860-028-0115 Duties of Pole Owners**

Issue #19 Section (3) should be removed. This obligation already exists elsewhere in Commission rules.

### **860-028-0120 Duties of Pole Occupants**

*See earlier comments under 860-028-0050.*

### **860-028-0310 Rental Rates and Charges Attachments by Licensees to Conduits Owned by Public Utilities, Telecommunication Utilities and Consumer-Owned Utilities**

Issue #20 Section (1) should be reworded as stated in PGE's earlier comments. This rule does not only apply in the event of disputes.

Issue #21 Additional methodologies for calculating the costs of conduit need to be added to the rule to reflect variations in how pole owners collect and keep their system information.

### **General Comment**

Issue #22 The timeframes in various places throughout the rule (for example – 30 business days) may need to be modified so that they are more realistic.