

NOTICE OF PROPOSED RULEMAKING

CHAPTER 860

PUBLIC UTILITY COMMISSION

FILING CAPTION: Repeal Construction Budget and Budget of Expenditure Reporting Requirements for Water and Wastewater Utilities

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/24/2018 5:00 PM

NEED FOR THE RULE(S):

These rules are being repealed to comport with prior legislation exempting companies from this reporting requirement. The reporting requirement was eliminated in 2011, Senate Bill 142. The utilities have not filed the reports since 2012.

The Commission encourages participants to file written comments as early as practicable in the proceedings so that other participants have the opportunity to consider and respond to the comments before the deadline. Please reference Docket No. AR 625 on comments and attach them to an e-mail to the Commission's Filing Center at PUC.FilingCenter@state.or.us.

Interested persons may review all filings online at <https://apps.puc.state.or.us/edockets/docket.asp?DocketID=21632>. For guidelines on filing and participation, please see OAR 860-001-0140 through 860-001-0160 and 860-001-0200 through 860-001-0250 found online at <https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=4027>.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Enrolled 2011 Senate Bill 142 found online at

<https://olis.leg.state.or.us/liz/2011R1/Downloads/MeasureDocument/SB142/Enrolled>

ORS 757.061 found online at https://www.oregonlegislature.gov/bills_laws/ors/ors757.html

FISCAL AND ECONOMIC IMPACT:

There is no fiscal or economic impact because this is a housekeeping change to update the PUC's rules to comport with 2011 legislative changes.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

The Public Utility Commission is the only state agency impacted by these changes. There is not an effect on small businesses because this is a housekeeping change to update the PUC's rules to comport with prior legislative changes. No reports have been filed since 2012.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Because the proposed repeal of the rules is housekeeping in nature, small businesses were not involved.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT? PUC Staff identified the need for these housekeeping changes to comport with prior legislation.

CONTACT:

Diane Davis
503-378-4372
diane.davis@state.or.us
PO Box 1088
Salem, OR 97308

RULES PROPOSED:

860-036-2400, 860-037-0615, 860-037-0620

REPEAL: 860-036-2400

RULE TITLE: Annual Budget Reports

RULE SUMMARY: This rule is being repealed to comport with prior legislation exempting companies from this reporting requirement.

RULE TEXT:

- (1) This rule applies to rate-regulated water utilities.
- (2) Each water utility operating within Oregon and having gross operating revenues of \$50,000 or more per annum is required to file with the Commission on or before the first day of November of each year, a copy of its proposed Budget of Expenditures, on forms provided by the Commission.
- (3) Each water utility operating within Oregon and having gross operating revenues of \$50,000 or more per annum is required to file annually on or before December 31, on forms provided by the Commission, information on new construction, extensions, and additions to the property of the water utility.

STATUTORY/OTHER AUTHORITY: ORS Ch. 183, 756, 757

STATUTES/OTHER IMPLEMENTED: ORS 756.040, 756.105, 757.105

REPEAL: 860-037-0615

RULE TITLE: Budget of Expenditures

RULE SUMMARY: This rule is being repealed to comport with prior legislation exempting companies from this reporting requirement.

RULE TEXT:

Each wastewater utility operating wastewater service within Oregon and having gross operating revenues of \$50,000 or more per annum is required to file with the Commission on or before the 1st day of November of each year, a copy of its proposed Budget of Expenditures, on forms approved by the Commission.

STATUTORY/OTHER AUTHORITY: ORS 183, 756, 757

STATUTES/OTHER IMPLEMENTED: ORS 756.040, 756.105, 757.005, 757.061, 757.105

REPEAL: 860-037-0620

RULE TITLE: New Construction Budget

RULE SUMMARY: This rule is being repealed to comport with prior legislation exempting companies from this reporting requirement.

RULE TEXT:

Each wastewater utility operating wastewater service within Oregon and having gross operating revenues of \$50,000 or more per annum is required to file annually on or before December 31, on forms approved by the Commission, information on new construction, extensions, and additions to the property of the wastewater utility.

STATUTORY/OTHER AUTHORITY: ORS 183, 756, 757

STATUTES/OTHER IMPLEMENTED: ORS 756.040, 756.105, 757.005, 757.061, 757.105