



SEN. VICKI L. WALKER
STATE SENATOR, DISTRICT 7

900 Court Street NE, S-210, Salem, OR 97301, (503) 986-1707

October 28, 2005

Chair Lee Beyer
Commissioner Ray Baum
Commissioner John Savage
Oregon Public Utility commission
550 Capitol Street NE
Salem, OR 97301

Re: Rulemaking for SB 408

Dear Commissioners:

As one of the chief sponsors of SB 408, I would like to commend you for the work you have done to implement SB 408. It has been fascinating to see the multitude of letters and filings to the PUC regarding the legislature's intent in drafting and passing this legislation.

As you know, courts in Oregon pay little attention to legislative history, except where the words of the statute are ambiguous. Certainly, letters from legislators *after the fact* are not part of the legislative history. I made a point during my floor speeches and the Q & A to provide some legislative history for this bill, and have noted it is now part of the PUC record. Nonetheless, I will add my two cents to the growing volume of paperwork in this case.

I think in this case the statute we passed is fairly clear: utilities should not be able to collect taxes from ratepayers that they in turn do not pay to units of government. The legislative intent was that SB 408 requires a proper allocation of total taxes paid to all of the utility's affiliated corporations, not just allocating to the utility all of the taxes paid by the conglomerate. I believe that your rulemaking has followed that directive.

I encourage the Commission to continue to follow the interpretations you have thus far made in the rulemaking process. However, I would like to see more detailed tax reports filed with the Commission than what we at this time. There is far too much secrecy in government, and taxpayers are wary of how their money is being spent. If we are ever to get to the bottom of how these taxes and profits are calculated, we will need more transparency than I've seen to date.

Thank you for your service to the Oregon Public Utility Commission and to Oregon's ratepayers. Senate Bill 408 is probably the biggest economic development piece of legislation to come out of the 2005 73rd Legislative Assembly. Your sound implementation of that policy will benefit all Oregonians.

Sincerely,

/s/ Vicki L. Walker

Vicki L. Walker

State Senator