





Portland General Electric Company
121 SW Salmon Street • Portland, Oregon 97204
PortlandGeneral.com

July 1, 2015

Public Utility Commission of Oregon
Attn: Filing Center
201 High Street S.E.
P.O. Box 1088
Salem, OR 97308-1088

**RE: Fourth Supplemental Filing of Advice No. 15-09, Rule C Customer
Attachment to Facilities**

Portland General Electric (PGE) submits this Supplemental Filing pursuant to Oregon Revised Statutes 756.010(8) and 757.205. PGE initially filed Advice No. 15-09 on April 3, 2015, with a requested effective date of May 20, 2015. PGE supplemented the filing on April 6, 2015 to make corrections to the original filing then submitted a Second Supplemental Filing on May 13, 2015 at the request of Staff to extend the effective date to July 8, 2015 for additional review time. PGE filed a Third Supplemental Filing June 24, 2015 at the request of Staff to extend the effective date for additional review time. PGE submits this Fourth Supplemental Filing for proposed tariff sheets associated with Tariff P.U.C. No. 18, with a requested effective date of **August 12, 2015**.

Enclosed are the following replacement sheets:

First Revision of Sheet No. C-11
First Revision of Sheet No. C-12
First Revision of Sheet No. C-13
First Revision of Sheet No. C-14
Original Sheet No. C-15

The purpose of this filing is to clarify under what circumstances the Company will relocate its facilities at its own expense and when the requester will pay some or all of the costs. More specifically, the revisions will make more clear what the Company considers a "Public Works Project" for the purposes of allocating responsibility for the associated relocation, rearrangement and removal costs for facilities in a public right-of-way, absent a different agreement. Further, the tariff makes explicit that 'rearrangement of facilities' is also included in the cost allocations that apply to relocation and removal of facilities.

History of this filing

PGE originally proposed changes to its Tariff Rule C in September 2013 (Advice 13-19) to be effective in October 2013. PGE then submitted five supplemental filings to allow additional time for review and discussions with stakeholders, and then withdrew the filing in April 2014 noting PGE's intent to revise it. Subsequent to PGE's filing of Advice 13-19, PGE engaged in discussions with the City of Portland and other interested parties, and modified language to address some of the concerns raised. Most notably, PGE modified its definition of public works projects to include projects in a publicly adopted master, comprehensive, or transportation plan, regardless of funding source. Also, in response to the Oregon Department of Transportation concerns, PGE acknowledged other regulations that could affect when a project could be scheduled.

Post filing of Advice No. 15-09 on April 3, 2015, and prior to the July 8, 2015 Public Meeting, Staff initiated a meeting to allow parties to voice concern related to PGE's April 3, 2015 filing. The City of Portland additionally requested a meeting with PGE to discuss the City's issues list. PGE and the City of Portland met on June 5, 2015. As a result of those discussions, modifications were made to PGE's filing and the newly revised version was presented to parties at the June 10, 2015 "Stakeholders" meeting. From these discussions, and where it was deemed appropriate, PGE made additional modifications adding qualifying language in its filing.

Tariff changes

1) Public Works Project defined – Section 7 (B):

Defines a qualifying Public Works Project as a project or improvement that is located on, or requires changes to the public right of way, or on land that will be dedicated as a public right-of-way as part of the governmental approval process and the majority of the funding for the project or improvement will come from city, county, state, regional or federal government sources, including, but not limited to, system development charges paid to the local government entity and used as a credit toward the cost of the project or improvement, or the project or improvement is included in a publicly adopted master plan, comprehensive plan, transportation plan, or System Transportation Improvement plan or through a public process by the governmental entity having jurisdiction over the public right-of-way.

2) Cost Responsibilities – Section 7 (A) (B) and (C):

Differentiates cost responsibilities by requesting party, including where Public Works Projects are concerned. When the relocation, removal or rearrangement of the Company's facilities are requested by a non-governmental entity, including but not limited to builders, developers, Customers and Customers' agents, even if the cost for the relocation, removal or rearrangement of Facilities is necessary to meet the requirements of the requesting party's government issued permit, such work will be performed by the Company at the requesting party's expense unless the terms of a franchise agreement specifies otherwise. When the relocation, removal or rearrangement of Facilities is for a Public Works Project

and certain requirements are met, the cost will be borne by the Company unless a state law, a city or local ordinance, a franchise agreement, or other private agreements specifies different cost responsibilities. When, at the time of the request, the Facilities are located on a private easement or governed by some other private right granted to or obtained by the Company, the cost of such relocation, removal or rearrangement work will be borne by the requesting party regardless of whether a Public Works Project is involved or the requester is a governmental entity. Additionally, if a public utility easement, ("PUE") is granted to or managed by a city for the use of public utility facilities then it is not considered a private easement under Section C of this rule.

3) Requirements for Public Works Project – Section 7 (B) 2 and 3:

PGE adds language from new franchise agreements, agreed to by most cities in our service territory that clarifies a governmental entity's responsibilities when facilitating a Public Works Project. These include: a) discuss and coordinate with the Company the Public Works Project's scope and schedule in accordance with ORS 758.025; and b) permit the Company to perform overall project work during Scheduled Crew hours, excluding load transfers, unless applicable regulations or ordinances specify otherwise.

4) Project costs within two years of completion – Section 7 (B) 4:

The tariff makes clear when the governmental entity requires the Company to remove, relocate or rearrange its Facilities related to an earlier qualifying Public Works Project within two years of the earlier work, then Section 7 (A) of the rule applies. This rule applies unless an applicable franchise agreement specifies different cost allocations, or the relocation is necessitated by an event or circumstance beyond the reasonable control of the requesting party that which includes, Acts of God, earthquake, severe storm, flood, or other natural disaster.

5) Exceptions to General Rule – Section 7 (D) 1 and 2

This section describes additional circumstances that are an exception to the general rule that the requesting party, not the Company, pay the costs of relocation, rearrangement or removal of overhead or underground Facilities. Also, when Company crew work is performed outside standard crew hours, the requesting party pays all costs plus loadings, unless applicable regulations or ordinances specify otherwise.

6) Underground Conversions

Where the Company is asked to place its overhead Facilities to underground, underground conversion costs, as defined in Oregon Administrative Rule (OAR) 860-022-0046, will be paid by the requesting party even if the requesting party is not a local government and therefore the forced underground conversion rule (OAR 860-022-0046) does not apply.

7) Temporary Relocations

Unless a private agreement specifies different cost responsibilities, or Section B of this rule applies, the requesting party will bear the costs of the temporary

relocation when, for clearance reasons or otherwise, the Company is required to temporarily move its Facilities, either because the Company cannot move its Facilities to the new permanent placement, or the Facilities will be moved to their former location at some point in time.

8) New Tariff Sheets:

Due to expanded information in the tariff, pagination was necessary and a new tariff sheet is added as the result. As a courtesy we are including red lined tariff sheets with the proposed changes as Attachment A.

As this filing proposes a tariff change PGE provides the following information to meet OAR 860-022-0025(2):

- a. The changes proposed clarify cost responsibility when PGE is asked to move its Facilities, and the definition of Public Works Project.
- b. PGE is unable to estimate number of customers affected as it will depend on the number of projects planned by government entities, developers, customers and others. Similarly, PGE is unable to estimate changes in revenue and the effects of clarifying cost responsibility.
- c. This cover letter contains the grounds relied upon in support of the change.

Should you have any questions or comments regarding this filing, please contact Terri Bowman at (503) 464-8854.

Please direct all formal correspondence and requests to the following email address pge.opuc.filings@pqn.com

Sincerely,



Karla Wenzel
Manager, Pricing and Tariffs

Enclosures

7. **Relocation, Removal, or Rearrangement of Facilities**

(C)

A. **Generally**

Unless the terms of a franchise agreement specifies otherwise, any relocation, removal or rearrangement of Facilities requested by a party, including but not limited to builders, developers, Customers or Customers' agents, that will be performed by the Company at the requesting party's expense even if the relocation, removal or rearrangement will be necessary to meet the requirements of the requesting party's permit from the governmental entity with jurisdiction over the project. Unless the Company believes good cause has been shown for a different timing for payment, the Company requires advance payment of a sum equal to the estimated original cost of any installed Facilities to be removed, less estimated salvage and less depreciation, plus estimated removal cost, plus any operating expense associated with the removal, rearrangement or relocation.

B. **Public Works Project**

The Company will bear the cost for relocation, rearrangement or removal of Facilities within the public right-of-way under the following circumstances unless an ordinance, state law, a franchise agreement, or other private agreement specifies different cost responsibilities:

- 1) The relocation, removal or rearrangement meets the definition of a qualifying Public Works Project. A qualifying Public Works Project is defined as a project or improvement that: (a) is located on, or requires changes to, the public right-of-way, or on land that will be dedicated as public right-of-way as part of the governmental approval process; and (b) meets one or both of the following criteria: (i) the majority of the funding for the project or improvement will come from governmental sources, including but not limited to system development charges paid to the local government entity and used as a credit toward the cost of the project or improvement; or (ii) the project or improvement is included in a ten year master plan, transportation systems plan, or comprehensive plan or System Transportation Improvement Plan adopted or approved through a public process by the governmental entity having jurisdiction over the public right-of-way.

(C)

- 2) The governmental entity having jurisdiction over the public right-of-way has coordinated with the Company and discussed the Public Works Project's scope and schedule in accordance with ORS 758.025;
- 3) The Company's overall project can generally be scheduled during Scheduled Crew Hours (excluding load transfers which may need to be performed outside of normal work hours) unless applicable regulations or ordinances specify otherwise; and
- 4) If the Public Works Project requires the Company to relocate all or part of the same Facilities relocated for a prior Public Works Project within two years of the relocation request or order for such prior Public Works Project, then Section (7)(A) will apply to the cost of the relocation related to the subsequent Public Works Project unless an applicable franchise agreement, state statute or city ordinance specifically states different cost allocations, or the relocation is necessitated by an event or circumstance beyond the reasonable control of the requester, including but not limited to Acts of God, earthquake, severe storm, flood, or other natural disaster.

C. **Easement**

Notwithstanding any language in this Rule to the contrary, the requesting party will bear the costs for permanently relocating Facilities that at the time of the request are located on a private easement granted to the Company or governed by some other private right granted to or obtained by the Company, regardless of status as qualifying Public Works Project or otherwise. A public utility easement ("PUE") for the use of public utility facilities that is granted to or managed by a city is not a private easement for the purposes of this Section C.

D. **Exception to General Rule in Section 7.A.**

- (1) If the necessary work can be performed by Company crews in a single trip to the requesting party's Premises during Scheduled Crew Hours (7:00 a.m. to 3:30 p.m., Monday through Friday, except Company recognized holidays) and subject to subsection (D)(2) below, the Company will bear the cost of relocation, rearrangement, or removal of overhead or underground Facilities on or adjacent to the Premises under any one of the five circumstances listed below:

- a. Such Facilities are idle, meaning not receiving Electricity Service for more than six months, except in the case of conversion from overhead to underground service; or
 - b. The location of such Facilities in the street area deprives the requesting party of reasonable ingress to or egress from the Premises, provided such Facilities are not on a property line or a property line extended plus or minus one foot. Generally, one driveway is considered reasonable ingress or egress; or
 - c. Such Facilities occupy space on the requesting party's Premises that will be used for an expansion of the requesting party's building or plant. In these cases, the Line Extension Allowance will apply for the expansion. Such line extension will be based on the annual kilowatt hours to be served by the Company at the rate listed in Rate Schedule 300. The Customer will bear the costs exceeding the Line Extension Allowance; or
 - d. The purpose is to relocate a meter to a more accessible location approved by the Company; or
 - e. Relocation of a service drop is the only work requested, subject to additional cost allocations specified in Rule I.
- (2) All work must be performed by the Company crews during Scheduled Crew Hours as specified in Section (D)(1) above, unless applicable regulations or ordinances specify otherwise, and other than Scheduled Crew Hours are requested, the requesting party must pay for all costs plus loadings incurred by the Company due to the work being performed in other than Scheduled Crew Hours.

E. Underground Conversions

For underground conversions (i.e. overhead Facilities converted to underground facilities), unless OAR 860-022-0046 applies and the Company is required to collect the conversion costs from customers in accordance with the rule, the requesting party is also responsible for the conversion costs as that term is defined in OAR 860-022-0046.

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(C)

F. **Temporary Relocations**

The requesting party will bear the costs of the temporary relocation when, for clearance reasons or otherwise, the Company is required to temporarily move its Facilities, either because the Company cannot move its Facilities to the new permanent placement or the Facilities will be returned to their former location at a later point in time, unless a private agreement specifies different cost responsibilities or Section B applies. A temporary relocation is defined as one where the Company expects at the time of the request or order that the initial relocation will be temporary and the Facilities will be subsequently moved to a permanent location.

(C)

8. **Service Restoration**

A. **Generally**

During a major outage due to events such as a major storm, the Company will follow priorities for service restoration as provided below. These restoration procedures are followed in order to restore service to the greatest number of Customers as quickly as possible with special consideration given to Customers that are critically essential to public welfare.

The Company maintains a list of critical Customers such as hospitals, airports, 911 dispatch centers, fire and police stations, water and sewage treatment plants, radio and television stations, newspapers and telephone exchanges. The Company will then repair other main distribution lines.

B. **Service Priority**

The priorities for service restoration are generally as follows:

1) **Protect Public Safety**

The Company will clear downed power lines and ensure that Facilities such as hospitals, fire and police departments, and utilities have power.

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2) **Repair Transmission Lines to Substations**

The Company will first make the necessary repairs to the transmission system connecting generation facilities to substations in order to ensure system stability. The Company will then make the necessary repairs to transmission lines, substations, and distribution facilities that connect substations to critical Customers. Next, the Company will continue to repair remaining transmission lines and substations after service is restored to critical Customers' service addresses.

3) **Repair Substations**

The Company will repair substations making it possible to restore service to large numbers of Customers.

4) **Repair Distribution Lines**

The Company will repair distribution lines serving critical Customers as well as lines that may be blocking streets or highways.

5) **Repair of Tap Lines**

After the Company repairs distribution lines, it will repair tap lines that serve smaller groupings, such as Residential Customers.

6) **Repair of Individual Service Connections**

The Company will repair individual service connections last. If Customer-owned equipment has been damaged, such as the meter base, a licensed electrician must repair it before the Company can restore service. Such repairs are the responsibility of the Customer.

C. **Other**

The Company will not give priority restoration to any Customer, non-utility generator or ESS, but will employ the above process over the Company's entire territory served.

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RULE C (Concluded)

PGE Fourth Supplemental of
Advice No. 15-09

Attachment A

Red Lined Tariff Sheets

7. **Relocation, Removal or Rearrangement of Facilities**

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A. **Generally**

Unless the terms of a franchise agreement specifies otherwise, any relocation, removal or rearrangement of Facilities requested by a party, including but not limited to: builders, developers, Customers or Customers' agents, that will be performed by the Company at the requesting party's expense even if the relocation, removal or rearrangement will be necessary to meet the requirements of the requesting party's permit from the governmental entity with jurisdiction over the project. Unless the Company believes good cause has been shown for a different timing for payment, the Company requires advance payment of a sum equal to the estimated original cost of any installed Facilities to be removed, less estimated salvage and less depreciation, plus estimated removal cost, plus any operating expense associated with the removal, rearrangement or relocation.

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B. **Public Works Project**

The Company will bear the cost for relocation, rearrangement or removal of Facilities within the public right-of-way under the following circumstances unless an ordinance, state law, a franchise agreement, or other private agreement specifies different cost responsibilities:

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- 1) The relocation, removal or rearrangement meets the definition of a qualifying Public Works Project. A qualifying Public Works Project is defined as a project or improvement that: (a) is located on, or requires changes to, the public right-of-way, or on land that will be dedicated as public right-of-way as part of the governmental approval process; and (b) meets one or both of the following criteria: (i) the majority of the funding for the project or improvement will come from governmental sources, including but not limited to system development charges paid to the local government entity and used as a credit toward the cost of the project or improvement; or (ii) the project or improvement is included in a ten year master plan, transportation systems plan, or comprehensive plan or System Transportation Improvement Plan adopted or approved through a public process by the governmental entity having jurisdiction over the public right-of-way.

Deleted: The rearrangement can be identified to be for a Public Works Project. Examples of Public Works Projects include but are not limited to public transit or a road widening financed by public funds;

- 2) ~~The governmental entity having jurisdiction over the public right-of-way has coordinated with the Company and discussed the Public Works Project's scope and schedule in accordance with ORS 758.025;~~
- 3) The ~~Company's~~ overall project can generally be scheduled during ~~Scheduled Crew Hours~~ (excluding load transfers which may need to be performed outside of normal work hours) ~~unless applicable regulations or ordinances specify otherwise;~~ and
- 4) ~~If the Public Works Project requires the Company to relocate all or part of the same Facilities relocated for a prior Public Works Project within two years of the relocation request or order for such prior Public Works Project, then Section (7)(A) will apply to the cost of the relocation related to the subsequent Public Works Project unless an applicable franchise agreement, state statute or city ordinance specifically states different cost allocations or the relocation is necessitated by an event or circumstance beyond the reasonable control of the requester, including but not limited to: Acts of God, earthquake, severe storm, flood, or other natural disaster.~~

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C. **Easement**

~~Notwithstanding any language in this Rule to the contrary, the requesting party will bear the costs for permanently relocating Facilities that at the time of the request are located on a private easement granted to the Company or governed by some other private right granted to or obtained by the Company, regardless of status as qualifying Public Works Project or otherwise. A public utility easement ("PUE") for the use of public utility facilities, that is granted to or managed by a city is not a private easement for the purposes of this Section C.~~

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D. ~~Permit Job~~
Where it can be identified that the requesting party has received a permit through a city or county for work within the public right-of-way

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D. **Exception to General Rule in Section 7.A.**

- (1) If the necessary work can be performed by Company crews in a single trip to the requesting party's Premises during Scheduled Crew Hours (7:00 a.m. to 3:30 p.m., Monday through Friday, except Company recognized holidays) ~~and subject to subsection (D)(2) below, the Company will bear the cost of relocation, rearrangement or removal of overhead or underground Facilities on or adjacent to the Premises under any one of the five circumstances listed below.~~

Advice No. 15-09

Issued July 1, 2015

James F. Lobdell, Senior Vice President

Effective for service

on and after August 12, 2015

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- a. Such Facilities are idle, meaning not receiving Electricity Service for more than six months, except in the case of conversion from overhead to underground service; or
 - b. The location of such Facilities in the street area deprives the requesting party of reasonable ingress to or egress from the Premises, provided such Facilities are not on a property line or a property line extended plus or minus one foot. Generally, one driveway is considered reasonable ingress or egress; or
 - c. Such Facilities occupy space on the requesting party's Premises that will be used for an expansion of the requesting party's building or plant. In these cases, the Line Extension Allowance will apply for the expansion. Such line extension will be based on the annual kilowatt hours to be served by the Company at the rate listed in Rate Schedule 300. The Customer will bear the costs exceeding the Line Extension Allowance; or
 - d. The purpose is to relocate a meter to a more accessible location approved by the Company; or
 - e. Relocation of a service drop is the only work requested, subject to additional cost allocations specified in Rule I.
- (2) All work must be performed by the company crews during Scheduled Crew Hours as specified in Section (D)(1) above, unless applicable regulations or ordinances specify otherwise, and other than Scheduled Crew Hours are requested, the requesting party must pay for all costs plus loadings incurred by the Company due to the work being performed in other than Scheduled Crew Hours

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E. Underground Conversions

For underground conversions (i.e. overhead Facilities converted to underground facilities), unless OAR 860-022-0046 applies and the Company is required to collect the conversion costs from customers in accordance with the rule, the requesting party is also responsible for the conversion costs as that term is defined in OAR 860-022-0046.

F. **Temporary Relocations**

~~The requesting party will bear the costs of the temporary relocation when, for clearance reasons or otherwise,~~ the Company is required to temporarily move its Facilities either because the Company cannot move its Facilities to the new permanent placement or the Facilities will be returned to their former location at a later point in time, ~~unless a private agreement specifies different cost responsibilities or Section B applies.~~ A temporary relocation is defined as one where the Company expects at the time of the request or order that the initial relocation will be temporary and the Facilities will be subsequently moved to a permanent location.

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8. **Service Restoration**

A. **Generally**

During a major outage due to events such as a major storm, the Company will follow priorities for service restoration as provided below. These restoration procedures are followed in order to restore service to the greatest number of Customers as quickly as possible with special consideration given to Customers that are critically essential to public welfare.

The Company maintains a list of critical Customers such as hospitals, airports, 911 dispatch centers, fire and police stations, water and sewage treatment plants, radio and television stations, newspapers and telephone exchanges. The Company will then repair other main distribution lines.

B. **Service Priority**

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2) **Repair Transmission Lines to Substations**

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6) **Repair of Individual Service Connections**

The Company will repair individual service connections last. If Customer-owned equipment has been damaged, such as the meter base, a licensed electrician must repair it before the Company can restore service. Such repairs are the responsibility of the Customer.

C. **Other**

The Company will not give priority restoration to any Customer, non-utility generator or ESS, but will employ the above process over the Company's entire territory served.

RULE C (Concluded)