

ORDER NO. 02-368

ENTERED JUN 04 2002

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BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

AR 431

In the Matter of a Rulemaking)
Proceeding to Adopt Oregon) ORDER
Administrative Rule 860-024-0017.)

DISPOSITION: RULE ADOPTED

On February 5, 2002, the Public Utility Commission (Commission) opened a rulemaking proceeding (AR 431) to adopt Oregon Administrative Rule 860-024-0017, establishing the 2001 edition of Standard Practices (Pruning), ANSI A300 (Part 1) as the standard for electric utilities when performing tree-to-power-line clearance work.

Notice of the Proposed Rulemaking was filed with the Secretary of State on February 19, 2002, and notice was subsequently provided to all interested persons on the Commission's rule changes list. The notice set out the new rule proposed by Commission Staff, and included a Statement of Need, Statutory Authority, and Fiscal and Economic Impact. The notice was published in the April 2002 *Oregon Bulletin*.

One written comment in favor of the rule was received from Parks Operations Supervisor Jim Boling of the City of Salem, but there was no request for a public hearing as a result of the notice.

The adoption of this national standard sets a requirement for tree clearance work performed by Oregon's electric utilities to be done in a manner that enhances tree worker safety and utilizes arboricultural methods that will be most likely to leave the vegetation healthy and strong. This requirement helps to balance the freedom from liability granted in HB 2493 by requiring that responsible methods be utilized. Most or all of these requirements are already being met by responsible Oregon electric utilities.

At its public meeting on May 28, 2002, the Commission approved Staff's recommendation to adopt the proposed Administrative Rule as set forth in Appendix A.

ORDER

IT IS ORDERED that:

1. Oregon Administrative Rule 860-024-0017, as set forth in Appendix A, is adopted.
2. The rule shall become effective upon filing with the Secretary of State.

Made, entered, and effective _____.

Roy Hemmingway
Chairman

Lee Beyer
Commissioner

Joan H. Smith
Commissioner

A person may petition the Commission for the amendment or repeal of a rule pursuant to ORS 183.390. A person may petition the Court of Appeals to determine the validity of a rule pursuant to ORS 183.400.

860-024-0017

Vegetation Pruning Standards

An operator that is an electric utility as defined in ORS 758.505 shall perform tree and vegetation work associated with line clearance in compliance with the American National Standard for Tree Care Operations, ANSI A300 (Part 1)-2001 Pruning, approved May 22, 2001, by the American National Standards Institute.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the office of the Public Utility Commission.]

Stat. Auth.: ORS Ch. 756, 757 & 758

Stat. Implemented: House Bill 2493 & 757.035

Hist.: NEW