

ORDER NO. 04-325

ENTERED JUN 11 2004

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BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 1154

In the Matter of)	
)	ORDER
LOMBARD WATER SYSTEM)	
)	
Application for Waiver of Late Statement Fee.)	

DISPOSITION: APPLICATION APPROVED

Lombard Water System (Lombard) filed an application with the Public Utility Commission of Oregon (Commission), to waive the \$100 late fee. Pursuant to ORS 756.310, each utility is required to pay the Commission an annual fee. Payment is due on April 1 of each year. If the utility does not pay by 5:00 p.m. on the fifth business day following the due date, a late fee of \$100 is assessed. Pursuant to OAR 860-036-0001(1), the Commission may relieve any obligations under these rules and, due to the late timing of Lombard receiving its statement, the application for waiver of the late fee should be approved. A description of the filing is contained in the Staff Report, attached as Appendix A, and incorporated by reference.

At its Public Meeting on June 8, 2004, the Commission adopted Staff's Recommendation and approved Lombard's application for waiver of its late fee.

ORDER

IT IS ORDERED THAT Lombard Water System's application to waive the \$100 late statement fee assessed on its gross revenue fee is granted.

Made, entered and effective _____.

BY THE COMMISSION:

Becky L. Beier
Commission Secretary

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A party may appeal this order to a court pursuant to ORS 756.580.

PUBLIC UTILITY COMMISSION OF OREGON

STAFF REPORT

PUBLIC MEETING DATE: June 8, 2004

REGULAR _____ **CONSENT** X **EFFECTIVE DATE** _____ N/A

DATE: June 1, 2004

TO: Lee Sparling through Marc Hellman and Rebecca Hathhorn

FROM: Kathy Miller

SUBJECT: LOMBARD WATER SYSTEM: (Docket No. UM 1154) Application for Waiver of Late Statement Fee

STAFF RECOMMENDATION:

Pursuant to ORS 756.310, OAR 860-036-0095(3)(c), and OAR 860-036-0001(1), Staff recommends that Lombard Water System's (Lombard or the Company) application to waive the \$100 late statement fee (late fee) assessed on its gross revenue fee (annual fee) be approved.

DISCUSSION:

Lombard is a public water utility and, as such, is subject to ORS 756.310 that requires each public utility to pay the Commission an annual fee. Annual fee statements (statement) are mailed to each public utility on March 5th every year. Payment of the annual fee to the Commission is due on April 1 each year. The fee is considered late if it is not received by 5:00 p.m. on the fifth business day following the due date (OAR 60-036-0095). If the annual fee is not paid by that time, the public utility is assessed a late fee of \$100 (OAR 860-036-0095 (3)(c)).

The Company did not receive the statement until after the April 1 deadline due to an incorrect address listing for Lombard. The company requests that the \$100 late fee be waived.

Pursuant to OAR 860-036-0001(1):

. . . Upon application by a water utility, the Commission may relieve it of any obligations under these rules.

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The \$100 late fee was imposed upon the company through no fault of its own. Staff recommends that the Commission relieve the company of its obligation to pay the \$100 late fee pursuant to OAR 860-036-0001(1).

PROPOSED COMMISSION MOTION:

Pursuant to ORS 756.310, OAR 860-036-0095(3)(c), and OAR 860-036-0001(1) Lombard Water System's application to waive the \$100 late statement fee assessed on its gross revenue fee due April 1, 2004, be approved.

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