

ORDER NO. 04-329

ENTERED JUN 14 2004

This is an electronic copy. Format and font may vary from the official version. Attachments may not appear.

**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

UM 1153

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

**DISPOSITION: APPLICATION APPROVED**

Mowick Water System (Mowick) 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 Mowick 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 Mowick's application for waiver of its late fee.

**ORDER**

IT IS ORDERED THAT Mowick 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.

ITEM NO. CA11

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: June 8, 2004**

<b>REGULAR</b>	<b>CONSENT</b>	<b>EFFECTIVE</b>	<b>DATE</b>	<b>N/A</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		

**DATE:** June 1, 2004

**TO:** Lee Sparling through Marc Hellman and Rebecca Hathorn

**FROM:** Kathy Miller

**SUBJECT:** MOWICK WATER SYSTEM: (Docket No. UM 1153) 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 Mowick Water System's (Mowick or the Company) application to waive the \$100 late statement fee (late fee) assessed on its gross revenue fee (annual fee) be approved.

**DISCUSSION:**

Mowick 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 5<sup>th</sup> 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] and is assessed a late fee of \$100 [OAR 860-036-0095(3)(c)].

The Company requests that the \$100 late fee be waived. Mowick sent a note, along with its minimum \$10 annual fee payment, to PUC stating that the owner, John Mowick, passed away three years ago. His wife has since moved and his daughter, Maria, takes care of the water system. Maria was not aware of the annual fee. Since her mother had moved away, Mowick did not receive the statement until April 24.

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

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

Due to the late timing of the Company receiving its statement, Staff recommends that the Commission relieve Mowick 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) Mowick Water System's application to waive the \$100 late statement fee assessed on its gross revenue fee due April 1, 2004, be approved.

pmm-Mowick waiver.doc