

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1189

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

DISPOSITION: APPLICATION APPROVED

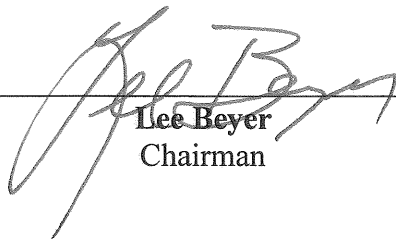
On January 5, 2005, Sno Cap Water System (Sno Cap) filed an application with the Public Utility Commission of Oregon (Commission) to waive the \$100 late statement fee (late fee). Pursuant to ORS 756.310, each utility is required to pay the Commission an annual fee. Payment is due on April 1 of each 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 Division 36 rules and, due to the late timing of Sno Cap 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 February 8, 2005, the Commission adopted Staff's Recommendation and approved Sno Cap's application for waiver of its late fee.


ORDER

IT IS ORDERED that Sno Cap Water System's application to waive the \$100 late statement fee assessed on its gross revenue fee due April 1, 2004, is granted.

Made, entered, and effective FEB 15 2005



Lee Beyer
Chairman



John Savage
Commissioner



Ray Baum
Commissioner



A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: February 8, 2005**

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

DATE: January 25, 2005

TO: Public Utility Commission

FROM: Kathy Miller

THROUGH: Lee Sparling, Marc Hellman, and Rebecca Trujillo

SUBJECT: SNO CAP WATER SYSTEM: (Docket No. UM 1189) 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 Sno Cap Water System's (Sno Cap or the Company) application to waive the \$100 late statement fee (late fee) assessed on its gross revenue fee (annual fee) be approved.

DISCUSSION:

Sno Cap 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] and is assessed a late fee of \$100 [OAR 860-036-0095(3)(c)].

The Company requests that the \$100 late fee be waived. Sno Cap sent a letter dated January 5, 2005, to PUC along with its \$35.35 annual fee payment for the year 2003. The Company states that PUC sent the invoice to Bill Wolfe, Sno Cap Water System, PO Box 215, Sisters, Oregon. Mr. Wolfe is no longer associated with the Company. According to Sno Cap, it received PUC's gross revenue statement for 2003 on December 19, 2004.

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

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

Since the Company received its statement at such a late date, Staff recommends that the Commission relieve Sno Cap 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), Sno Cap 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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