

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 502

In the Matter of a Rulemaking to Increase)
the Late Statement Fee for Water Utilities.)

ORDER

DISPOSITION: RULE AMENDED

ORS 756.310 requires gas utilities, electric companies, telecommunications providers, and water utilities to pay annual fees to the Commission and submit annual fee statements by April 1. The minimum annual fee due from water utilities is \$10. The late statement fee for water utilities was reduced from \$100 to \$25 in Order 04-753 (AR 487).

Recently staff learned that Department of Revenue, for collection purposes, will not pursue balances under \$50. A few water utilities owe the \$10 annual fee, \$25 late statement fee, and a small amount of statutory late payment penalties (at 2 percent per month), for totals of less than \$50 each, leaving the balances too low to send to Department of Revenue for collections.

Increasing the late statement fee to \$40 would make an additional collection option available to the Commission. Companies that do not file annual fee statements generally do not pay their annual fees. Therefore, if the \$40 were added to the minimum annual gross revenue fee of \$10, the sum would meet the \$50 threshold for collections, and the Commission's collection ability would be improved. The \$15 increase would also serve as more of an incentive to avoid the penalty and perhaps encourage more timely filing and payment by the water utilities.

Notice of the Proposed Rulemaking was filed with the Secretary of State on October 14, 2005, and notice was subsequently provided to all interested persons on the Commission's rule changes list. The notice was provided to the appropriate legislators as required by ORS 183.335 on October 12, 2005. The notice set out the rule amendment proposed by Commission Staff, and included a Statement of Need, Statutory Authority, and Fiscal and Economic Impact. The notice was published in the November 2005 *Oregon Bulletin*.


There were no written comments nor was there a request for a public hearing as a result of the notice.

At its public meeting on December 20, 2005, the Commission adopted the proposed rule amendment as set forth in Appendix A.

ORDER

IT IS ORDERED that the modification to the rule as set forth in Appendix A, attached to and made part of this order, is adopted and becomes effective upon filing with the Secretary of State.

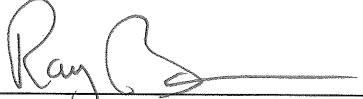
Made, entered, and effective DEC 20 2005



Lee Beyer
Chairman



John Savage
Commissioner



Ray Baum
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.