

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 530

In the Matter of a Rulemaking Regarding)
Integrated Resource Planning Guidelines for) ORDER
Energy Utilities.)

DISPOSITION: NEW RULE ADOPTED

On November 7, 2008, the Public Utility Commission of Oregon (Commission) filed a Notice of Proposed Rulemaking Hearing and Statement of Need and Fiscal Impact with the Secretary of State. On that same date, notice was provided to certain legislators specified in ORS 183.335(1)(d) and to all interested persons on the service lists maintained pursuant to OAR 860-011-0001. Notice of the rulemaking was published in the December 2008 *Oregon Bulletin*.

Interested persons were given until the end of the business day on January 9, 2009, to make comments on the proposed rule. On January 6, 2009, Northwest Natural filed comments in support of the proposed rule. The Commission held a public comment hearing on January 9, 2009. At the hearing, Commission Staff (Staff) offered one proposed clarification to the proposed rule. No other participants commented, and no commenter opposed the proposed new rule.

DISCUSSION AND COMMENTS

In docket UM 1056, the Commission ordered that a rulemaking be initiated to implement the Commission’s Integrated Resource Planning Guideline 3.¹ Guideline 3 established guidelines for the filing, reviewing, and updating of energy utilities’ Integrated Resource Plans (IRPs). The new rule proposed in this docket, OAR 860-027-0400, is intended to implement Guideline 3.

At the public comment hearing, Staff noted that the wording in Section (5) of the proposed rule may be unclear. Section (5) of the proposed rule states, “Commission staff and parties must complete their comments and recommendations within six months of IRP filing.” According to Staff, some participants asked what the word “complete” means in this context. Staff suggests that the word “complete” be changed to the word “file.” This change would clarify the obligations of those submitting comments and/or recommendations under Section (5) of the proposed rule and would also make the wording in Section (5) consistent with the wording in Section (10)(b) (which requires utilities to “file” comments and recommendations related to IRP action plans).

¹ Guideline 3 was adopted in Order No. 07-002, as amended by Order No. 07-047.

RESOLUTION

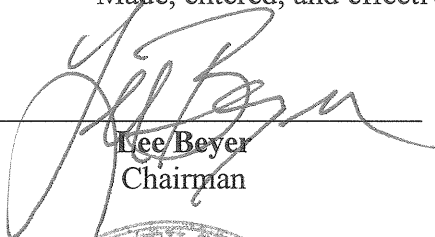
Having heard no objections to the adoption of the proposed rule, the Commission agrees that the proposed rule should be adopted. The Commission finds Staff's amendment to the proposed rule to be reasonable and appropriate. The final version of the new rule is attached to this order as Appendix A.

ORDER

IT IS ORDERED that:

1. Oregon Administrative Rule 860-027-0400, as set forth in Appendix A, is adopted.
2. The new rule will be come effective upon filing with the Secretary of State.

Made, entered, and effective FEB 03 2009.



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.

Integrated Resource Planning Guidelines for Energy Utilities

860-027-0400

Integrated Resource Plan Filing, Review, and Update.

(1) Scope and Applicability: This rule applies to investor-owned energy utilities. Upon application by an entity subject to this rule and for good cause shown, the Commission may relieve it of any obligation under this rule.

(2) As used in this rule, “Integrated Resource Plan” or “IRP” means the energy utility’s written plan satisfying the requirements of Commission Order Nos. 07-002, 07-047 and 08-339, detailing its determination of future long-term resource needs, its analysis of the expected costs and associated risks of the alternatives to meet those needs, and its action plan to select the best portfolio of resources to meet those needs.

(3) An energy utility must file an IRP within two years of its previous IRP acknowledgment order or as otherwise directed by the Commission. If the energy utility does not intend to take any significant resource action for at least two years after its next IRP is due, the energy utility may request an extension of its filing date from the Commission.

(4) The energy utility must present the results of its filed IRP to the Commission at a public meeting prior to the deadline for written public comment.

(5) Commission staff and parties must file their comments and recommendations within six months of IRP filing.

(6) The Commission must consider comments and recommendations on an energy utility’s IRP at a public meeting before issuing an order on acknowledgment. The Commission may provide the energy utility an opportunity to revise the IRP before issuing an acknowledgment order.

(7) The Commission may provide direction to an energy utility regarding any additional analyses or actions that the energy utility should undertake in its next IRP.

(8) Each energy utility must submit an annual update on its most recently acknowledged IRP. The update is due on or before the acknowledgment order anniversary date. The energy utility must summarize the annual update at a Commission public meeting. The energy utility may request acknowledgment of changes, identified in its update, to the IRP action plan. The annual update is an informational filing that:

(a) Describes what actions the energy utility has taken to implement the action plan to select best portfolio of resources contained in its acknowledged IRP;

(b) Provides an assessment of what has changed since the acknowledgment order that affects the action plan to select best portfolio of resources, including changes in such factors as load, expiration of resource contracts, supply-side and demand-side resource acquisitions, resource costs, and transmission availability; and

(c) Justifies any deviations from the action plan contained in its acknowledged IRP.

(9) As soon as an energy utility anticipates a significant deviation from its acknowledged IRP, it must file an update with the Commission, unless the energy utility is within six months of filing its next IRP. This update must meet the requirements set forth in section (8) of this rule.

(10) If the energy utility requests Commission acknowledgement of its proposed changes to the action plan contained in its acknowledged IRP:

(a) The energy utility must file its proposed changes with the Commission and present the results of its proposed changes to the Commission at a public meeting prior to the deadline for written public comment;

(b) Commission staff and parties must file any comments and recommendations with the Commission and present such comments and recommendations to the Commission at a public meeting within six months of the energy utility's filing of its request for acknowledgement of proposed changes;

(c) The Commission may provide direction to an energy utility regarding any additional analyses or actions that the utility should undertake in its next IRP.

Stat. Auth.: ORS Ch. 183, ORS 756.040 & ORS 757.262

Stats. Implemented: ORS 756.040 & ORS 757.262

Hist.: NEW