

ORDER NO. 12 081

ENTERED MAR 08 2012

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

AR 563

In the Matter of Adopting the 2012 Edition  
of the National Electrical Safety Code.

ORDER

**DISPOSITION: MODIFICATIONS TO RULE ADOPTED**

This proceeding was convened to adopt the latest edition of the National Electrical Safety Code (NESC) to stay current with national standards and practices used in the construction, operation, and maintenance of electric supply lines and communication lines. The American National Standards Institute approved the 2012 edition of the NESC on June 3, 2011. Per ORS 183.332, state agencies should seek to retain and promote federal requirements and equivalent standards. Staying current with the national standards and practices is especially critical for electric and communications utilities and operators as well as contractors and consultants who work in more than one state.

On January 13, 2012, the Public Utility Commission of Oregon filed a Notice of Proposed Rulemaking and Statement of Need and Fiscal Impact with the Secretary of State. On that same day notice was provided to all interested persons on the service lists maintained pursuant to OAR 860-001-0030(1)(b) and to certain legislators specified in ORS 183.335(1)(d). Notice of the rulemaking was published in the February 2012 *Oregon Bulletin*.

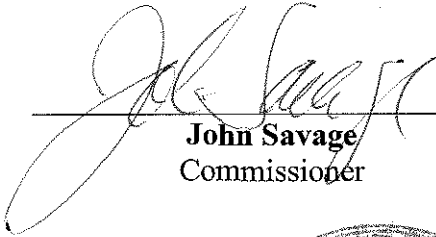
As specified in the notice, the deadline for filing written comments was close of business, February 22, 2012. Portland General Electric Company and Idaho Power Company filed written comments supporting the proposed adoption of the 2012 edition of the NESC. Idaho Power Company also noted that the 2012 NESC will require several significant changes to its operations especially due to revised arc flash ratings, AC live-work minimum approach distances, and joint trench requirements. No other written comments were received by the Commission. The proposed modifications to OAR 860-024-0010, edited to remove section references because of the proposed deletion of section (2), should be adopted.

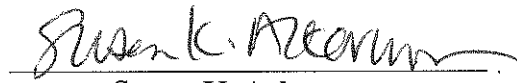
**ORDER**

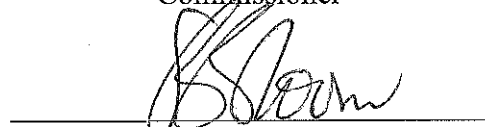
IT IS ORDERED that:

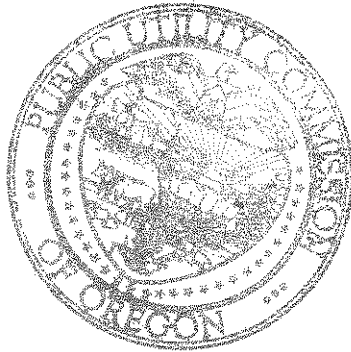
1. The modifications to OAR 860-024-0010, as shown in Appendix A, are adopted.
2. The rule modifications become effective upon filing with the Secretary of State.

Made, entered, and effective MAR 08 2012.

  
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**John Savage**  
Commissioner

  
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**Susan K. Ackerman**  
Commissioner

  
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**Stephen M. Bloom**  
Commissioner



A person may petition the Public Utility Commission of Oregon for the amendment or repeal of a rule under ORS 183.390. A person may petition the Oregon Court of Appeals to determine the validity of a rule under ORS 183.400.

860-024-0010

**Construction, Operation, and Maintenance of Electrical Supply and Communication Lines**

~~(1) Except as provided in section (2), e~~Every operator shall construct, operate, and maintain electrical supply and communication lines in compliance with the standards prescribed by the 2012~~07~~ Edition of the National Electrical Safety Code approved ~~June 3, 2011~~~~16, 2006~~, by the American National Standards Institute.

~~(2) Rule 410.A.3 of the 2007 Edition of the National Electrical Safety Code will not become effective until January 1, 2010.~~

[Publications: Publications referenced are available for review from the Commission.]

Stat. Auth.: ORS 183, 756, 757 & 759

Stats. Implemented: ORS 757.035

Hist.: PUC 164, f. 4-18-74, ef. 5-11-74 (Order No. 74-307); PUC 173, f. & ef. 1-14-76 (Order No. 76-037); PUC 1-1978, f. 1-13-78, ef. 2-13-78 (Order No. 78-076); PUC 3-1981, f. & ef. 6-4-81 (Order No. 81-361); PUC 12-1984, f. & ef. 6-5-84 (Order No. 84-424); PUC 11-1987, f. & ef. 10-8-87 (Order No. 87-861); PUC 6-1990, f. & cert. ef. 5-25-90 (Order No. 90-833); PUC 11-1993, f. & cert. ef. 6-23-93 (Order No. 93-809); PUC 13-1994, f. & cert. ef. 8-31-94 (Order No. 94-1243); PUC 7-1997, f. & cert. ef. 2-6-97 (Order No. 97-032); PUC 9-2002, f. & cert. ef. 2-26-02 (Order No. 02-119); PUC 6-2007, f. & cert. ef. 5-14-07 (Order No. 07-179); PUC 5-2008, f. & cert. ef. 12-29-08 (Order No. 08-599)