

ORDER NO. 13 072
ENTERED MAR 01 2013

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1012

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON

The Imposition of Annual Regulatory Fees
upon Public Utilities Operating within the
State of Oregon.

ORDER

DISPOSITION: FEE LEVEL SET FOR 2013

Under OAR 860-021-0033, OAR 860-021-0034, OAR 860-036-0095, OAR 860-037-0095, and ORS 756.310, it is hereby determined that it is necessary for the year 2013 to impose a fee on natural gas, electric, water, and wastewater utilities in the amount of twenty-five hundredths of one percent (2.5 mills per dollar) of gross operating revenues derived within the State of Oregon during the year 2012.

The gross operating revenues of an electric company do not include revenues from sales of power for resale to the extent that the revenues from those sales exceed an amount equal to 25 percent of the total revenues received by the electric company from sales of electricity to end users in the preceding calendar year.

These fees are deemed necessary to defray the costs of performing duties imposed by law upon the Commission.

The fees imposed by this order shall be due and payable on or before April 1, 2013, the date specified in a notice to be mailed to each public utility after the effective date of this order and at least 15 days prior to April 1, 2013.

At its Public Meeting on February 26, 2013, the Commission adopted Staff's Recommendation, which is attached as Appendix A and incorporated by reference.

ORDER

IT IS ORDERED that each natural gas, electric, water, and wastewater utility operating in the State of Oregon shall pay to the Public Utility Commission of Oregon by April 1, 2013, a fee of twenty-five hundredths of one percent (2.5 mills per dollar) of such public utility's gross operating revenues derived within the State of Oregon during the year 2012. In no case shall such fee be less than \$10.

The gross operating revenues of an electric company do not include revenues from sales of power for resale to the extent that the revenues from those sales exceed an amount equal to 25 percent of the total revenues received by the electric company from sales of electricity to end users in the preceding calendar year.

Made, entered, and effective MAR 01 2013

BY THE COMMISSION:



Becky L. Beier
Becky L. Beier
Commission Secretary

A party may request rehearing or reconsideration of this order under 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 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.

ITEM NO. CA20

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT**

PUBLIC MEETING DATE: February 26, 2013

REGULAR _____ CONSENT X EFFECTIVE DATE March 1, 2013

DATE: February 19, 2013

TO: Public Utility Commission

FROM: Michael Dougherty, Imee Anderson, and Maury Galbraith

THROUGH: Jason Eisdorfer

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:

(Docket No. UM 1012) Requests an order to establish the annual fee level for electric, gas, water, and wastewater utilities at 2.5 mills per dollar (.25 percent).

STAFF RECOMMENDATION:

Staff recommends that the Public Utility Commission of Oregon issue an order setting the annual fee rate at 2.5 mills of 2012 gross operating revenues for electric, natural gas, water, and wastewater utilities.

DISCUSSION:

Fee Collections on Electric, Natural Gas, Water, and Wastewater:

Pursuant to OAR 860-021-0033, Annual Fees Payable to the Commission by an Electric Company, OAR 860-021-0034, Annual Fees Payable to the Commission by a Gas Utility, OAR 860-036-0095, Annual Fees Payable to the Commission by a Water Utility, and OAR 860-037-0095, Annual Fees Payable to the Commission by a Wastewater Utility, each electric, gas, water, and wastewater public utility shall pay to the Commission an annual fee on gross operating revenues derived within Oregon at a rate determined by Commission order.

The gross operating revenues of an electric company do not include revenues from sales of power for resale to the extent that the revenues from those sales exceed an amount equal to 25 percent of the total revenues received by the electric company from sales of electricity to end users in the preceding calendar year.

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The rules also state that the Commission's order shall be entered on or after March 1. The fee shall be payable before 5:00 p.m. on April 1 of the year after the calendar year upon which the fee is based. The fee payable shall not exceed 25 hundredths of one percent (that is, 0.25 percent or 2.5 mills per dollar) of the Oregon gross revenue during the prior calendar year.

Each year, the fee level is set based on gross operating revenues of utilities for the previous calendar year. To ensure adequate funding for the Commission, the fee level should be maintained at 2.5 mills of 2012 gross operating revenues for electric, natural gas, water, and wastewater utilities. Because estimated expenditures for April 1, 2013 through March 31, 2014, are approximately \$948 thousand less than anticipated revenues, the Commission will not need to draw on its reserve balance which is projected at about \$7 million on April 1, 2013.

Estimated Fee Collection as of April 1, 2013

Natural Gas (@2.5 mills)	\$2,205,714	
Water & Wastewater (@2.5 mills)	37,400	
Electric ¹ (@2.5 mills)	8,013,859	
<i>Telecommunications</i>	<u>\$1,743,472</u>	
Total Estimated Fee Collection	\$12,000,445	
Additional Estimated Revenues	\$768,955	
(From Federal Gas Pipeline, RSPF, and Misc.)		
Total Collection & Revenues	\$12,769,400	
Estimated Expenditures for Utility Regulation		\$11,821,250
April 1, 2013 through March 31, 2014		

PROPOSED COMMISSION MOTION:

The Commission issue an order setting the annual fee assessment rate at 2.5 mills for 2013 for electric, natural gas, water, and wastewater utilities.

UM 1012 Annual Fee Memo

¹ In addition, the Commission receives amounts from public purpose funds collected by PGE and PacifiCorp to cover administrative costs, per ORS 757.612(3)(c) and OAR 860-038-0480(16).