

ORDER NO. 16 067

ENTERED FEB 23 2016

**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: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on February 23, 2016, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter. The Staff Report with the recommendation is attached as Appendix A.

BY THE COMMISSION:



A handwritten signature in blue ink, appearing to read "Kristi Collins", is written over the seal.

**Kristi Collins**  
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 Circuit Court for Marion County in compliance with ORS 183.484.

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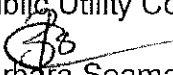

ITEM NO. CA9

PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: February 23, 2016

REGULAR \_\_\_\_\_ CONSENT X EFFECTIVE DATE March 1, 2016

DATE: February 16, 2016

TO: Public Utility Commission

FROM:  Barbara Seaman and  Imee Anderson

THROUGH:  Jason Eisdorfer,  Michael Dougherty, and  David Poston

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 2.75 mills per dollar (0.275 percent).

**STAFF RECOMMENDATION:**

Staff recommends that the Public Utility Commission of Oregon (Commission) issue an order setting the annual fee rate at 0.275 percent of 2015 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 must be paid no later than 5:00 p.m. April 1 of the year after the calendar year upon which the fee is based. The fee payable shall not exceed three-tenths of one percent (0.3 percent or 3.0 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. SB 329 enacted 2015 allows the commission to set the annual fee to a percentage amount not to exceed three-tenths of one percent (0.3 percent or 3.0 mills per dollar) of the provider's gross revenue. To ensure adequate funding for the Commission, the fee level should be increased to a blended rate of 2.75 mills (0.275 percent) of 2015 gross operating revenues for electric, natural gas, water, and wastewater utilities. Because estimated expenditures for April 1, 2016, through March 31, 2017, are approximately \$565 thousand more than anticipated revenues, the Commission will probably need to draw on its reserve balance, which is projected to be about \$3.8 million on April 1, 2016.

**Estimated Fee Collection as of April 1, 2016**

Natural Gas (@2.75 mills)	\$2,439,586
Water & Wastewater (@2.75 mills)	\$44,400
Electric <sup>1</sup> (@2.75 mills)	\$9,360,759
Telecommunications (UM 940)	\$1,505,000
<b>Total Estimated Fee Collection</b>	<b>\$13,349,745</b>
<b>Additional Estimated Revenues</b>	<b>\$1,284,555</b>
(From Federal Gas Pipeline, RSPF, and Misc.)	
<b>Total Collection &amp; Revenues</b>	<b>\$14,634,300</b>

**Estimated Expenditures  
for Utilities Regulation** **\$15,199,183**  
(includes Utilities Program and Policy & Administration)  
April 1, 2016 through March 31, 2017

Estimated expenditures exceed projected revenue by \$564,883.

<sup>1</sup> 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).

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**PROPOSED COMMISSION MOTION:**

The Commission issues an order setting the annual fee assessment rate at 2.75 mills or 0.275 percent for 2016 for electric, natural gas, water, and wastewater utilities.

2016 UM 1012 Annual Fee Memo