

ORDER NO. 19-060

ENTERED Feb 26 2019

**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 26, 2019, 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:



Nolan Moser
Chief Administrative Law Judge



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.

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: February 26, 2019**

REGULAR _____ CONSENT X EFFECTIVE DATE March 1, 2019

DATE: February 20, 2019

TO: Public Utility Commission

FROM: Barbara Seaman

THROUGH: Michael Dougherty  and Imee Anderson 

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 0.3 percent.

STAFF RECOMMENDATION:

Staff recommends that the Public Utility Commission of Oregon (Commission) issue an order setting the annual fee rate at three-tenths of one percent (0.3 percent) of 2018 gross operating revenues for electric, natural gas, water, and wastewater utilities.

DISCUSSION:

Issue

Whether the Commission should set the annual fee rate paid by electric, natural gas, water, and wastewater utilities to 0.3 percent of gross operating revenues.

Applicable Rule or Law

Pursuant to ORS 756.310, OAR 860-021-0033, OAR 860-021-0034, OAR 860-036-0095, and OAR 860-037-0095, each electric, gas, water, and wastewater public utility is required to 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.

Docket No. UM 1012
 February 20, 2019
 Page 2

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) of the Oregon gross revenue during the prior calendar year. ORS 756.310(3).

Analysis

Each year, the fee level is set based on gross operating revenues of utilities for the previous calendar year. ORS 756.310 allows the Commission to set the annual fee to a percentage amount not to exceed three-tenths of one percent (0.3 percent) of the provider’s gross revenue. To ensure adequate funding for the Commission, Staff recommends that the fee level be set to a rate of three-tenths of one percent (0.3 percent) of 2018 gross operating revenues for electric, natural gas, water, and wastewater utilities. Estimated expenditures for April 1, 2019 through March 31, 2020 are approximately \$235,024 less than anticipated revenues. The Commission’s reserve balance is currently projected with \$3.4 million on April 1, 2019. Commission Staff will continue to seek out savings to keep expenditures and revenue equal.

<u>Estimated Fee Collection as of April 1, 2019</u>	
Natural Gas (at 3.0 mills)	2,433,840
Water and Wastewater (at 3.0 mills)	52,929
Electric ¹ (at 3.0 mills)	10,240,633
Telecommunications (UM 940)	1,535,583
Total Estimated Fee Collection	14,262,985
Additional Estimated Revenues (from Federal Gas Pipeline Grant, RSPF, and Miscellaneous)	2,127,019
Total Collection and Revenues	16,390,004
Estimated Expenditures for Utilities Regulation (includes Utilities Program and Policy and Administration) April 1, 2019 through March 31, 2020	16,154,981

Estimated expenditures are below projected revenue by \$235,024.

Docket No. UM 1012
February 20, 2019
Page 3

Conclusion

Based on Staff's analysis, the annual fee rate should be set to three-tenths of one percent to ensure adequate funding for the Commission.

PROPOSED COMMISSION MOTION:

The Commission issue an order setting the annual fee assessment rate at three-tenths of one percent (0.3 percent) for 2019 for electric, natural gas, water, and wastewater utilities.

2019 UM 1012 Annual Fee Memo