

ORDER NO. 19-152

ENTERED Apr 26 2019

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1631

In the Matter of

PACIFICORP, dba PACIFIC POWER,

Petition for Limited Waiver of the Filing  
Deadline in OAR 860-027-0070(1).

ORDER

**DISPOSITION: STAFF'S RECOMMENDATION ADOPTED**

At its public meeting on April 23, 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:



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**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: April 23, 2019

REGULAR  CONSENT  EFFECTIVE DATE May 1, 2019

DATE: April 4, 2019

TO: Public Utility Commission

FROM: Marianne Gardner <sup>MG</sup>

THROUGH: Jason Eisdorfer and John Crider <sup>EJ</sup>

SUBJECT: PACIFIC POWER: (Docket No. UM 1631) Requests Limited Waiver of Filing Deadline in OAR 860-027-0070(1).

**STAFF RECOMMENDATION:**

Staff recommends that Pacific Power's (PacifiCorp or Company) request for a limited waiver of the filing deadline in OAR 860-027-0070(1) from May 1, 2019 to May 31, 2019, be approved.

**DISCUSSION:**

Issue

Whether the Commission should waive the May 1 filing deadline for PacifiCorp's Annual Reports under OAR 860-027-0000(2), which authorizes the Commission to waive the requirement for good cause shown.

Applicable Rule

Under OAR 860-027-0070(1), PacifiCorp must file an "Annual Report" with the Commission each year by May 1. Under OAR 860-027-0000(1), the Commission may waive the requirement to file the Annual Report by May 1 for good cause shown.

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## Analysis

### *Background*

OAR 860-027-0070(1) requires electric, gas, water, and steam utilities to file their Annual Reports by May 1 of each year. PacifiCorp requests an alternative filing deadline of May 31, 2019. The Company states that this extension is necessary to allow sufficient time to process the data necessary to produce the reports in each of the Company's state jurisdictions.

In 2014, the Commission changed its rules to make all annual reports and results of operations filed by electric and gas companies due on the same date, which was May 1. All utilities agreed to this date except PacifiCorp. The Company indicated that it would be unable to get the reports completed until May 31.

Staff decided that rather than write an exception into the rule for PacifiCorp, the Company would be required to file for a waiver each year. Staff expects that a waiver filing from PacifiCorp will be an annual event. As anticipated, PacifiCorp filed its petition for a limited waiver of OAR 860-027-0070(1) on April 3, 2019.

## Conclusion

The Commission Staff has examined the petition and believes there is good cause to waive the May 1 deadline. The Company does need the extra time requested. Staff recommends that the Commission grant PacifiCorp's request.

## **PROPOSED COMMISSION MOTION:**

Approve Pacific Power's request for a limited waiver of the filing deadline from May 1, 2019 to May 31, 2019.