

ORDER NO. 20-110

ENTERED Apr 08 2020

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1631

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON,

Waiver of Miscellaneous Rules to Extend
Filing Deadlines for Non-essential Utility
Reports and Filings.

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its Special Public Meeting on March 27, 2020, 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 "Nolan Moser".

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
SPECIAL PUBLIC MEETING DATE: March 27, 2020**

REGULAR X **CONSENT** **EFFECTIVE DATE** **N/A**

DATE: March 25, 2020

TO: Public Utility Commission

FROM: Bryan Conway

THROUGH: Michael Grant

SUBJECT: Docket No. UM 1631 – General Waiver Requests: Waiver of miscellaneous rules to extend filing deadlines for non-essential utility reports and filings.

STAFF RECOMMENDATION:

The Commission should waive the rules listed in Attachment A with respect to deadlines for non-essential reports and filings.

DISCUSSION:

Issue

Whether the Commission should grant a general waiver applicable to rules identified with respect to filing deadlines for non-essential utility reports and deadlines.

Applicable Rule or Order

The Commission has the authority to waive rules on its own motion for good cause. For example, OAR 860-027-001(2) states: “Upon request or its own motion, the Commission may waive any of the division 27 rules for good cause shown.”¹ Similar waiver language is present for other divisions subject to this recommendation.

¹ Identical language exists for other division chapters, e.g., OAR 860-029-0005(4).

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Analysis

In response to the COVID-19 Pandemic, the Commission is working in close partnership with our utility service providers and the Governor's office to help ensure the utilities have access to the supplies and resources they need to maintain operations and focus their efforts on ensuring their continued operation and availability of services for the residents of Oregon. As part of this effort, we reviewed our regulatory requirements placed on the utilities to determine what rules and requirements related to matters other than safety and operations can be delayed during this COVID-19 pandemic.

Based on that review, and to better allow the utilities to focus on their service to customers and the health of their employees, Staff recommends that the Commission waive rules as necessary to extend, by 60 days, the filing deadlines for utility reporting requirements listed on Attachment A that are due between the date of this Public Meeting and April 30, 2020. Staff believes these filings can be delayed without harming customers or the Commission ability to fulfill its mission.

Given that these reports have been directed by the Commission, the waiver proposed is for the filing date of the report and not the report itself. Staff recommends the filing date of the report be extended for 60 days to provide the utilities sufficient time to prepare and file the report at a subsequent date whereby utility business activity is substantially less impacted by the COVID-19 virus. The regulatory reports are identified in Attachment A.

Staff will continue to monitor and evaluate the need for the reports and other activities listed in Attachment A, and may need to adjust the waiver time periods or remove the waiver if the report is deemed necessary.

Conclusion

Staff recommends that rules be waived to allow a 60-day extension of time for the filing of the identified utility reports listed in Appendix A. These reports shall be due no later than 60 days after the original reporting date.

PROPOSED COMMISSION MOTION:

The Commission should waive the rules listed in Attachment A with respect to deadlines for non-essential reports and filings and direct the utilities to file the reports not later than 60 days after the original filing date.

Joint NW Utilities Regulatory Deliverables: March - May 2020

Due Date	Filing/Deliverable	Docket No.	Rule	Company
Mar 31	File Budget of Expenditures Report/Construction Budget Report. Prepared by the Budget department.	n/a	OAR 860-027-0015	Avista
Mar 31	Budget of Expenditures (confidential)	RG 18	OAR 860-027-0015	NWN
Mar 31	Construction Budget Report (confidential)	RG 19	OAR 860-027-0015	NWN
Mar 31	Interstate-Intrastate Gas Storage and Optimization report (confidential)	RG 32		NWN
Mar 31	Smart Energy Reconciliation Report	RG 2		NWN
Mar 31	Smart Energy Annual Report	RG 2		NWN
Mar 31	Monthly Public Purpose Charge Activity Report	RE 20	OAR 860-038-0480(16)	Pacific Power
Mar 31	Annual New Construction Budget	RE 43	OAR 860-027-0015	Pacific Power
Mar 31	Annual Budget of Expenditures Report	RE 44	OAR 860-027-0005	Pacific Power
Mar 31	Annual Metering Assets and Technology Report	RE 50	OAR 860-023-0015	Pacific Power
Mar 31	Annual Klamath Load Control Pilot Report	Advice 16-04	Compliance Filing	Pacific Power
Mar 31	New Construction Budget Report (confidential)	RE 35	OAR 860-027-0015	Idaho Power
Mar 31	Budget of Expenditures Report	RE 74	OAR 860-027-0005	Idaho Power
Mar 31	Construction Budget	RE 18	OAR 860-027-0015	PGE
Mar 31	Budget of Expenditures	RE 19	OAR 860-027-0015	PGE
Mar 31	Construction Budget Report		OAR 860-027-0015	Cascade
Apr 01	Oregon Specific Data Report DSM Programs		OPUC Staff Request	Idaho Power
Apr 03	Major Event Report - NE Oregon		OAR 860-023-0161	Pacific Power
Apr 03	Major Event Report - Central Oregon		OAR 860-023-0161	Pacific Power