

ORDER NO. 26-122

ENTERED Apr 15 2026

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 686

In the Matter of

Rulemaking to Amend OAR 860-021-0300
and OAR 860-021-0335.

ORDER

**DISPOSITION: ADMINISTRATIVE HEARINGS DIVISION'S
RECOMMENDATION ADOPTED**

At its public meeting on April 14, 2026, the Public Utility Commission of Oregon adopted the Administrative Hearings Division's recommendation in this matter. The Staff Report with the recommendation is attached as Appendix A.

BY THE COMMISSION:



Alison Lackey
Chief Administrative Law Judge



ITEM NO. RM1

**PUBLIC UTILITY COMMISSION OF OREGON
AHD REPORT
PUBLIC MEETING DATE: April 14, 2026**

REGULAR ___ CONSENT ___ RULEMAKING X EFFECTIVE DATE N/A

DATE: April 8, 2026

TO: Public Utility Commission

FROM: Michael Grant, Administrative Law Judge

THROUGH: Alison Lackey, Chief Administrative Law Judge **SIGNED**

SUBJECT: RULEMAKING TO AMEND OAR 860- 021-0300 and OAR 860-021-0335 (Docket No. AR 686):
Request to Open a Formal Rulemaking to Amend Rules related to service reconnections and refusal or service in Oregon Administrative Rule (OAR) Chapter 860, Division 21.

RECOMMENDATION:

The Administrative Hearings Division (AHD) recommends that the Commission open a limited formal rulemaking to eliminate redundant language and organizational ambiguity and to clarify rule intent in the recently adopted rules and amend OAR 860-021-0300 and OAR 860-021-0335.

DISCUSSION:

Applicable Law

ORS 756.060 authorizes the Commission to adopt rules and regulations relative to all statutes administered by the agency.

OAR Chapter 860 Division 021 outlines the rules governing customer rights and utility responsibilities. It specifies conditions under which utilities may disconnect service for nonpayment, establishes timelines and notice requirements, and sets standards for reconnection, including fee limitations and exceptions. The rule also includes provisions for severe weather protections.

Background

Last December the Commission adopted a recommendation from the Administrative Hearings Division (AHD) to adopt and amend rules related to customer protections. The Commission codified its decision in Order No. 25-543.¹

¹ *In the Matter of Rulemaking Regarding Customer Protections*, Docket No. AR 671, Order No. 25-542 (Dec. 21, 2025)

The rules set out in AHD's recommendation, which were adopted by the Commission, contained redundant language and organizational ambiguity relating to customer responsibilities and utility actions required for restoration of service. Specifically, the following rules were adopted governing reconnection fees:

OAR 860-021-0330**Reconnection Fee for Utility Services**

(1) When a utility service is disconnected pursuant to OAR 860-021-0305, the energy or large telecommunications utility may charge the reconnection fee in its tariff, except as provided below when:

- (a) The utility is able to remotely reconnect the residential customer's service;
- (b) The residential customer participates in the utility's income qualified bill discount program; or
- (c) The residential customer has on file with the utility a medical certificate pursuant to OAR 860-021-0410.

(2) Sections (1)(a), (b), and (c) (2) above do not apply to After Hours Reconnect as described in OAR 860-021-0328(7)(b).

(3) An energy utility may not require a customer participating in the utility's income qualified bill discount program or a customer with a medical certificate on file with the utility to pay any outstanding balance or reconnection fee as a prerequisite for a reconnection that is requested pursuant to OAR 860-021-0406 or OAR 860-021-0407.

(4) The utility must restore service upon request. Any outstanding balance, reconnection fee, or portion thereof remains the responsibility of the customer and may be included in subsequent bills until paid in full.

Sections (3) and (4) contain language that is redundant and potentially misleading as currently organized. Section (3) repeats provisions in Sections (1)(b) and (c) that also preclude the collection of a reconnection fee from an income qualified customer or a customer with a medical certificate. Section (4) contains a stand-alone requirement that a utility must restore service on request without regard to other provisions that might apply.

Both issues, which were due to last-minute drafting changes to the proposed rules made by AHD, should be addressed to eliminate redundancy and ambiguity. To accomplish that, AHD recommends that both Sections (3) and (4) be moved to OAR 860-021-0335 governing refusal of service so that OAR 860-021-0330 address only reconnection fees. AHD also recommends some minor wording changes to combine those sections in OAR 860-021-0335 to clarify utility and customer responsibilities.

With these changes, OAR 860-021-0330 and OAR 860-021-0335 would read as follows:

OAR 860-021-0030
Reconnection Fee for Utility Service

- (1) When a utility service is disconnected pursuant to OAR 860-021-0305, the energy or large telecommunications utility may charge the reconnection fee in its tariff, except as provided below when:
- (a) The utility is able to remotely reconnect the residential customer's service;
 - (b) The residential customer participates in the utility's income qualified bill discount program; or
 - (c) The residential customer has on file with the utility a medical certificate pursuant to OAR 860-021-0410.
- (2) Sections (1)(a), (b), and (c) (2) above do not apply to After Hours Reconnect as described in OAR 860-021-0328(7)(b).
- ~~(3) An energy utility may not require a customer participating in the utility's income qualified bill discount program or a customer with a medical certificate on file with the utility to pay any outstanding balance or reconnection fee as a prerequisite for a reconnection that is requested pursuant to OAR 860-021-0406 or OAR 860-021-0407.~~
- ~~(4) The utility must restore service upon request. Any outstanding balance, reconnection fee, or portion thereof remains the responsibility of the customer and may be included in subsequent bills until paid in full.~~

860-021-0335
Refusal of Utility Service

- (1) Except as provided in sections (2) **and (4)** of this rule and OAR 860-021-0330, an energy utility may refuse to provide service to a customer or applicant until the utility receives full payment of any overdue amount of an Oregon tariffed or price-listed charge and any other like obligation related to an Oregon prior account.
- (2) Except for a residential customer or applicant who was disconnected for theft of service, an energy utility shall provide service to a residential customer or applicant upon receiving payment equal to at least one-half, but no more than \$200 for an income qualified or medical certificate customer, of any overdue amount of an Oregon tariffed or price-listed charge and any other like obligation related to a prior account, except deposits which must be paid in full, provided the customer or applicant has made reasonable partial payment on the account during the time service has been discontinued. An energy utility may not require a deposit to be paid by an income-qualified residential customer. The customer shall pay the balance of the amount owed to the energy utility within six subsequent billing cycles of the date service is initiated. Upon failure to pay, the energy utility may disconnect service after providing notice to the customer consistent with OAR 860-021-0405. The notice shall contain the information set forth in OAR 860-021-0405(2)(a), (b), (c), (d)(A) and (D) and shall be served as required by 860-021-0405(5). If a customer or

applicant whose service was terminated applies for service within 20 days of the termination, the provisions of this rule apply.

(3) If electric or gas service is disconnected for a residential customer's failure to comply with the payment terms in section (2) of this rule, the utility may refuse to restore service until the utility receives full payment of any overdue obligation of an Oregon tariffed or price-listed charge and any other like obligation related to a prior account, including any reconnection fee, late payment fee, and past due bill.

(4) An energy utility may not require a customer participating in the utility's income qualified bill discount program or a customer with a medical certificate on file with the utility to pay any outstanding balance as a prerequisite for a reconnection that is requested pursuant to OAR 860-021-0406 or OAR 860-021-0407. Any outstanding balance remains the responsibility of the customer and may be included in subsequent bills until paid in full.

* * * * *

NOTE: No substantive changes to sections (5) through (9).

Proposed Commission Motion:

Approve AHD's request to issue notice of proposed rulemaking for amendments to OAR 860-021-0330 and OAR 860-021-0335 related to reconnection fees and refusal of service as set forth in Attachment 1.

Attachment 1

AR 686 Proposed Redline of Oregon Administrative Rules

RULES:

860-021-0330, 860-021-0335

AMEND: 860-021-0330

RULE TITLE: Reconnection Fee for Utility Service

RULE SUMMARY: This rule establishes the circumstances under which a utility may charge a fee for the reconnection of service.

(1) When a utility service is disconnected pursuant to OAR 860-021-0305, the energy or large telecommunications utility may charge the reconnection fee in its tariff, except when:

- (a) The utility is able to remotely reconnect the residential customer's service;
- (b) The residential customer participates in the utility's income qualified bill discount program; or
- (c) The residential customer has on file with the utility a medical certificate pursuant to OAR 860-021- 0410.

(2) Section (1)(a),(b), and (c) above do not apply to After Hours Reconnect as described in OAR 860-021-0328(7)(b).

~~(3) An energy utility may not require a customer participating in the utility's income qualified bill discount program or a customer with a medical certificate on file with the utility to pay any outstanding balance or reconnection fee as a prerequisite for a reconnection that is requested pursuant to OAR 860-021-0406 or OAR 860-021-0407.~~

~~(4) The utility must restore service upon request. Any outstanding balance, reconnection fee, or portion thereof remains the responsibility of the customer and may be included in subsequent bills until paid in full.~~

Statutory/Other Authority: ORS 183, ORS 756, ORS 757, ORS 759

Statutes/Other Implemented: ORS 756.040, ORS 757.225

AMEND: 860-021-0335**RULE TITLE: Refusal of Utility Service**

RULE SUMMARY: This rule establishes the circumstances under which a utility may refuse to provide service to a customer or applicant.

(1) Except as provided in sections (2) **and (4)** of this rule and OAR 860-021-0330, an energy utility may refuse to provide service to a customer or applicant until the utility receives full payment of any overdue amount of an Oregon tariffed or price-listed charge and any other like obligation related to an Oregon prior account.

(2) Except for a residential customer or applicant who was disconnected for theft of service, an energy utility shall provide service to a residential customer or applicant upon receiving payment equal to at least one-half of any overdue amount of an Oregon tariffed or price-listed charge and any other like obligation related to a prior account, except deposits which must be paid in full, provided the customer or applicant has made reasonable partial payment on the account during the time service has been discontinued. An energy utility may not require a deposit to be paid by an income-qualified residential customer. The customer shall pay the balance of the amount owed to the energy utility within two subsequent billing cycles of the date service is initiated. Upon failure to pay, the energy utility may disconnect service after providing a five-day notice to the customer. The notice shall contain the information set forth in OAR 860-021-0405(2)(a), (b), (c), (d)(A) and (D) and shall be served as required by 860-021-0405(5). If a customer or applicant whose service was terminated applies for service within 20 days of the termination, the provisions of this rule apply.

(3) If electric or gas service is disconnected for a residential customer's failure to comply with the payment terms in section (2) of this rule, the utility may refuse to restore service until the utility receives full payment of any overdue obligation of an Oregon tariffed or price-listed charge and any other like obligation related to a prior account, including any reconnection fee, late payment fee, and past due bill.

(4) An energy utility may not require a customer participating in the utility's income qualified bill discount program or a customer with a medical certificate on file with the utility to pay any outstanding balance as a prerequisite for a reconnection that is requested pursuant to OAR 860-021-0406 or OAR 860-021-0407. Any outstanding balance remains the responsibility of the customer and may be included in subsequent bills until paid in full.

(45) Refusal of service by a large telecommunications utility:

- (a) A large telecommunications utility may refuse to provide service to a customer or applicant until the utility receives full payment of any overdue amount of an Oregon tariffed or price-listed charge and any other like obligation related to a prior account except for telecommunications service applicants who are eligible for OTAP.
- (b) A large telecommunications utility may refuse to provide service to a residential customer or applicant who is eligible for OTAP until the utility receives full payment of

any overdue amount relating to a prior account for tariffed local exchange and price-listed services, excluding any toll charges.

(56) Except as provided in OAR 860-021-0330, an energy or large telecommunications utility may refuse to provide service until the utility receives payment when all the following circumstances exist:

- (a) An overdue balance has been incurred by a residential customer at a service address;
- (b) A residential applicant for service resided at the service address described in subsection (5)(a) of this rule during the time the overdue balance was incurred; and
- (c) The residential customer described in subsection (5)(a) of this rule will reside at the location to be served under the new application.

(67) Any energy or large telecommunications utility shall refuse to provide service if a customer or applicant has not complied with state and city codes and regulations governing service and with the utility's rules and regulations.

(78) An energy or large telecommunications utility shall reject an application for service or materially change service to a customer or applicant if, in the best judgment of the utility, the utility lacks adequate facilities to render the service applied for or if the desired service is likely to unfavorably affect service to other customers.

(89) An energy or large telecommunications utility shall refuse to serve a customer or applicant, if, in the best judgment of the utility, the facilities of the customer or applicant cannot provide safe and satisfactory service.

(910) When an energy or large telecommunications utility refuses to provide service, the utility shall notify the customer or applicant of the reasons for refusal and of the Commission's complaint process

Statutory/Other Authority: ORS 183, ORS 756, ORS 757, ORS 759, OL 1987, Ch. 290

Statutes/Other Implemented: ORS 756.040, ORS 757.035, ORS 757.225, OL 1987, Ch. 290