

**PUBLIC UTILITY COMMISSION OF OREGON
ADMINISTRATIVE HEARINGS DIVISION REPORT
PUBLIC MEETING DATE: February 3, 2004**

REGULAR _____ **CONSENT** X **EFFECTIVE DATE** _____ **Upon Filing with the
Secretary of State**

DATE: January 28, 2004

TO: Commissioners Beyer, Savage, and Baum

FROM: Donna Roberson, through Kathryn Logan, Administrative Law Judge

REVIEWED BY: Terry Lambeth, Rules Project Leader

SUBJECT: AR 480: Initiate a rulemaking to amend OAR 860-011-0001(1) to conform with the Commission's practice of providing notice to interested persons regarding the adoption, amendment or repeal of a permanent rule.

ADMINISTRATIVE LAW JUDGE RECOMMENDATION:

Initiate a rulemaking to amend OAR 860-011-0001(1) to conform with the Commission's practice of providing notice to interested persons regarding the adoption, amendment or repeal of a permanent rule.

DISCUSSION:

The amendment would add the word "permanent" to the rule to reflect the Commission's practice of providing written notification to interested persons regarding the adoption, amendment or repeal of any permanent rule. The Commission does not currently provide written notification by mail to interested persons prior to the adoption, amendment or repeal of any temporary rule. This rule change is consistent with ORS 183.335(5).

PROPOSED COMMISSION MOTION:

Initiate a rulemaking to amend OAR 860-011-0001(1) to conform with the Commission's practice of providing notice to interested persons regarding the adoption, amendment or repeal of a permanent rule.

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Notice to Interested Persons

(1) Prior to the adoption, amendment, or repeal of any **permanent** rule, the Commission shall notify, by mail, the persons whose names appear on the Commission's list of persons requesting notice of rule changes.

Stat. Auth.: ORS Ch. 183, 756, 757 & 759

Stats. Implemented: ORS 756.040 & 756.500 through 756.575

Hist.: PUC 169, f. & ef. 11-10-75 (Order No. 75-936); PUC 179, f. 3-18-77, ef. 4-1-77 (Order No. 77-163); PUC 1-1985, f. & ef. 2-1-85 (Order No. 850-75)