

ITEM NO. CA10

PUBLIC UTILITY COMMISSION OF OREGON
ADMINISTRATIVE HEARINGS DIVISION REPORT
PUBLIC MEETING DATE: April 27, 2004

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

DATE: April 1, 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: Adoption of a rule 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:

Adopt an amendment to 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).

At its regular public meeting on February 3, 2004, the Commission voted to initiate a rulemaking to amend OAR 860-011-0001(1). The proposed rule was published in the Secretary of State's Oregon Bulletin, along with a deadline for comments and requests for hearing. No comments or requests for hearing were received.

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PROPOSED COMMISSION MOTION:

Adopt a rule 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.

860-011-0001

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)

ORDER

IT IS ORDERED that:

1. Staff's recommended amendment to OAR 860-011-0001(1), as found in Appendix A, is adopted.
2. The amendment shall be effective upon filing with the Secretary of State.

Made, entered and effective _____.

BY THE COMMISSION:

Becky L. Beier
Commission Secretary

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A party may appeal this order to a court pursuant to ORS 756.580.