

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: February 8, 2005**

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

**DATE:** January 25, 2005

**TO:** Public Utility Commission

**FROM:** Kathy Miller

**THROUGH:** Lee Sparling, Marc Hellman, and Rebecca Trujillo

**SUBJECT:** SNO CAP WATER SYSTEM: (Docket No. UM 1189) Application for Waiver of Late Statement Fee.

**STAFF RECOMMENDATION:**

Pursuant to ORS 756.310, OAR 860-036-0095(3)(c), and OAR 860-036-0001(1), Staff recommends that Sno Cap Water System's (Sno Cap or the Company) application to waive the \$100 late statement fee (late fee) assessed on its gross revenue fee (annual fee) be approved.

**DISCUSSION:**

Sno Cap is a public water utility and, as such, is subject to ORS 756.310 that requires each public utility to pay the Commission an annual fee. Annual fee statements (statement) are mailed to each public utility on March 5<sup>th</sup> every year. Payment of the annual fee to the Commission is due on April 1 each year. The fee is considered late if it is not received by 5:00 p.m. on the fifth business day following the due date [OAR 60-036-0095] and is assessed a late fee of \$100 [OAR 860-036-0095(3)(c)].

The Company requests that the \$100 late fee be waived. Sno Cap sent a letter dated January 5, 2005, to PUC along with its \$35.35 annual fee payment for the year 2003. The Company states that PUC sent the invoice to Bill Wolfe, Sno Cap Water System, PO Box 215, Sisters, Oregon. Mr. Wolfe is no longer associated with the Company. According to Sno Cap, it received PUC's gross revenue statement for 2003 on December 19, 2004.

Pursuant to OAR 860-036-0001(1):

. . . Upon application by a water utility, the Commission may relieve it of any obligations under these rules.

Since the Company received its statement at such a late date, Staff recommends that the Commission relieve Sno Cap of its obligation to pay the \$100 late fee pursuant to OAR 860-036-0001(1).

**PROPOSED COMMISSION MOTION:**

Pursuant to ORS 756.310, OAR 860-036-0095(3)(c), and OAR 860-036-0001(1), Sno Cap Water System's application to waive the \$100 late statement fee assessed on its gross revenue fee due April 1, 2004, be approved.