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the \$100 late statement fee was still owed. Subsequently, on March 4, 2005, A&G LLC Water & Sewer filed a request for waiver of the fee.

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 current owners were unaware a gross revenue fee was owed at the time it acquired A&G, and since they paid the outstanding fee and 2 percent penalty following receipt of PUC Invoice AR 130101, Staff recommends that the Commission relieve A&G 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) the application of A & G LLC Water & Sewer to waive the \$100 late statement fee assessed on its gross revenue fee due April 1, 2004, be approved.