Oregon Public Utility Commission

Stakeholder Guidance for Communication with Commissioners and Staff

Purpose of This Guide
This guide explains how stakeholders should communicate with Oregon Public Utility Commission (PUC) Commissioners and staff related to:

- A contested case or declaratory rulings
- Rulemakings
- Items scheduled for open public meetings

It also provides recommendations for submitting letters to the Commission.

Communicating in Contested Cases and Declaratory Rulings

In contested cases, Commissioners act as judges. Their decisions must be based solely on the official evidentiary record. Because of this, ex parte rules apply.

What counts as ex parte communication
An ex parte communication is any message, written or spoken, made directly to a Commissioner or the Administrative Law Judge without all parties present or notified, and that relates to the merits of a pending contested case or declaratory ruling. These communications must be reported and added to the docket, and parties must be given the chance to respond.

What this means for stakeholders
Commissioners do not meet with parties to discuss issues related to contested cases.

If you request a meeting with a Commissioner and you are a party to a contested case, you will be required to submit an agenda in advance to confirm that no contested case topics will be discussed. A senior PUC leader will attend to ensure compliance with ex parte rules.

Letters or other communications about an issue related to a contested case should not be sent directly to Commissioners. If a communication about a contested case is sent to a Commissioner, it will be posted to the docket and parties will be given an opportunity to respond.

Communicating with Staff
Communication with Staff during contested cases is considered party-to-party communication. Parties may engage directly with staff, subject to professional conduct rules for attorneys.

Staff must notify all parties when participating in official settlement discussions.

Communicating in Rulemakings

Rulemakings are not contested cases, so ex parte rules do not apply. The Commission acts in a quasi-legislative capacity when developing new or modifying existing rules.

How Commissioners prefer to engage
The PUC works to ensure an open process, where all participants have the opportunity to review relevant information and argument. For this reason, the Commissioners prefer to receive information through the docket, including:

- Written comments
- Workshops
- The rulemaking hearing
- Public meeting discussions

Comments may only be submitted by the deadline for comments in the notice of proposed rulemaking has passed, the Commissioner and ALJ may still consult with Commission employees, but may not receive additional comment from rulemaking participants unless the PUC extends the deadline for comments. Commissioners generally do not hold meetings with individual stakeholders to discuss active rulemakings outside formal processes.

Communicating with Staff in Rulemakings

- Stakeholders may communicate openly with staff during rulemakings.
- Staff may set boundaries to keep the process transparent and fair
- Staff leads and an Oregon Department of Justice (DOJ) attorney are listed on the docket page for each rulemaking.

Communicating on Items Scheduled for Open Public Meetings

The Commission makes many decisions during regular public meetings. These meetings must be publicly noticed, open to everyone.

Commissioner communication in these cases
Similar to rulemakings, to ensure an open process, Commissioners generally will not have meetings with individual stakeholders and encourage that any information is provided within the docket or at the public meeting itself, especially when a decision is anticipated to happen soon.

Communicating with Staff
Stakeholders may communicate directly with staff about items moving toward public meeting consideration. Staff leads and DOJ contacts are listed in the relevant docket.

Guidance for Submitting Letters

Submitting comments through the docket is always the most transparent and preferred approach. If you choose to send a letter or email instead, keep the following in mind:

Communications sent directly to Commissioners about matters under PUC oversight will be posted to the appropriate docket as public comment or an ex parte communication. If you do not want your letter or email posted, do not send it to Commissioners — send it to senior PUC leadership listed below instead. If unsure about communication protocols, contacting senior leadership first ensures compliance with Public Meetings Law and contested case procedures.

PUC contacts for communication questions
Stakeholders may reach out to senior staff, including:

- Executive Director
- Chief Administrative Law Judge
- Energy Program Director