

LC 111
2016 Regular Session
1/11/16 (MBM/ps)

D R A F T

SUMMARY

Directs PacifiCorp to suspend collection of two nonbypassable surcharges imposed on PacifiCorp's customers for purpose of removing J.C. Boyle Dam, Copco 1 Dam, Copco 2 Dam and Iron Gate Dam until certain federal law is enacted.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to the suspension of surcharges imposed for the purpose of removing dams; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. **(1) Notwithstanding ORS 757.736:**

(a) Within 30 days of the effective date of this 2016 Act, PacifiCorp shall file a tariff schedule with the Public Utility Commission necessary to suspend collection of the two nonbypassable surcharges imposed on PacifiCorp's customers for the purpose of paying the costs of removing Klamath River dams; and

(b) The commission shall approve the tariff schedule within 30 days of the filing of the tariff schedule.

(2) PacifiCorp may not include in any tariff schedule filed with the commission the collection of the two nonbypassable surcharges imposed on PacifiCorp's customers for the purpose of paying the costs of removing Klamath River dams until the commission issues an order in which the commission finds that:

(a) A federal law has been enacted that directs, authorizes or approves the removal of the J.C. Boyle Dam, the Copco 1 Dam, the Copco

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 **2 Dam and the Iron Gate Dam; and**

2 **(b) Any condition in the federal law that must occur before the re-**
3 **moval of those dams has occurred.**

4 **(3) For purposes of making a finding described in subsection (2) of**
5 **this section, the commission:**

6 **(a) May initiate the process by which the commission makes the**
7 **finding upon the commission's own motion; or**

8 **(b) Shall initiate the process by which the commission makes the**
9 **finding upon receipt of a request from PacifiCorp, in a form and**
10 **manner prescribed by the commission, to initiate the process.**

11 **SECTION 2. This 2016 Act being necessary for the immediate pres-**
12 **ervation of the public peace, health and safety, an emergency is de-**
13 **clared to exist, and this 2016 Act takes effect on its passage.**

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