



RULEMAKING ACTIVITY

FOR 2019

JANUARY 2020



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ORS 183.403 requires all agencies to report annually to the Legislature on rulemaking activities, especially with regard to temporary (emergency) rules. This report covers the Oregon Public Utility Commission's (PUC) rulemaking activity for the period January 1, 2019 through December 31, 2019. During that period, the PUC did not use temporary rulemaking. The remaining rulemaking activities affecting 12 rules were accomplished in five dockets following the permanent rulemaking procedures.

Annual Report to Legislative Assembly Regarding Administrative Rulemaking Activity for the Period January 1, 2019 through December 31, 2019

1. *The number of rules adopted, amended, or repealed in accordance with ORS 183.335(2) and (3) (Permanent Rulemaking Process):*

Twelve rules adopted, amended, or repealed during the year using the permanent rulemaking process.

AR 625 repealed three rules (OAR 860-036-2400, 860-037-0615, 860-037-0620) to allow the rules to comport with legislative changes regarding budget reporting requirements for water and water/wastewater utilities.

AR 609 adopted one rule (OAR 860-087-0020) to require electric companies to file transportation electrification plans.

AR 620 amended two rules (860-024-0020 and 860-024-0021) to adopt USDOT rule amendments related to gas pipeline and liquefied natural gas safety.

AR 621 adopted two new rules (860-030-0011 and 860-030-0013) and amended one rule (860-020-0007) to implement a PUC review of energy utilities' energy efficiency avoided cost data prior to its use by the third party nongovernmental entity to administer energy efficiency programs and measures for customers of the subject energy utilities.

AR 627 amended three rules (OAR 860-021-0036, 860-34-0095, and 860-037-0095) to implement 2019 Senate Bill 68, a change to the cap on annual regulatory fees charged to regulated utilities.

2. *Regarding the Temporary Rulemaking Process (ORS 183.335(5)):*

A. *The number of rules adopted, amended, or suspended using the procedure described in ORS 183.335(5):*

The Oregon PUC did not use the temporary rulemaking process in 2019.

B. *List of rules adopted, amended, or suspended using the procedure described in ORS 183.335(5):*

Not applicable.

C. *For each rule a statement of need and all of the agency's findings that a failure to act promptly would result in serious prejudice to the public interest or the interest of parties concerned:*

Not applicable.

D. *For each rule, an explanation of why proceeding under ORS 183.335 (5) (the temporary rulemaking process) was the most appropriate method for adopting, amending, or suspending the rule and why it was not appropriate to proceed in accordance with ORS 183.335 (2) and (3) (the permanent rulemaking process).*

Not applicable.



Megan W. Decker, Chair