

House Bill 3079

Sponsored by COMMITTEE ON CONSUMER PROTECTION

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Public Utility Commission to require electricity service supplier that provides electricity to customer within city to compensate city for use of city rights of way at rate equal to franchise fee paid by default supplier for area.

A BILL FOR AN ACT

1
2 Relating to electricity service suppliers; creating new provisions; and amending ORS 757.649.

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

4 **SECTION 1.** ORS 757.649 is amended to read:

5 757.649. (1)(a) A person or other entity shall not act as an electricity service supplier unless the
6 person or entity is certified by the Public Utility Commission. The commission, by rule, shall es-
7 tablish standards for certification of persons or other entities as electricity service suppliers in this
8 state. The rules shall, at a minimum, address:

9 (A) The ability of the person or entity to meet the person's or entity's obligation to provide
10 electricity services pursuant to direct access; and

11 (B) The ability of the person or entity to comply with applicable consumer protection laws.

12 (b) The commission may require an electricity service supplier to provide a bond or other se-
13 curity.

14 (c) The commission may establish a fee, not to exceed \$500, for initial certification and annual
15 recertification of electricity service suppliers.

16 (d) The commission, at any time, may revoke an electricity service supplier's certification for
17 failure to comply with applicable statutes and rules.

18 (e) The commission may require an electricity service supplier to provide information necessary
19 to ensure compliance with ORS 757.612. The commission shall ensure the privacy of all information
20 and the protection of any proprietary information provided.

21 **(f) The commission shall require an electricity service supplier that provides electricity**
22 **to a customer within a city to compensate the city for the use of the city rights of way at**
23 **a rate equal to the franchise fee paid by the default supplier for the area in which the elec-**
24 **tricity is provided.**

25 (2) Every electric utility shall maintain the integrity of its transmission facilities and distrib-
26 ution system and provide safe, reliable service to all retail electricity consumers. Nothing in ORS
27 757.600 to 757.667 or 757.669 to 757.687 shall reduce or diminish the statutory or contractual obli-
28 gations of electric utilities to maintain the safety and reliability of their transmission facilities and
29 distribution system and other infrastructure and equipment used to deliver electricity.

30 (3) The commission for electric companies, or the governing body for other electric utilities,
31 shall adopt rules, ordinances, policies and service quality standards designed to maintain a reliable,

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 safe and efficient distribution system. The commission shall regulate electrical safety regarding
 2 generation, transmission, substation and distribution facilities for electric utilities and other elec-
 3 trical system owners and operators as provided under ORS 757.035.

4 (4) Every bill to a direct access retail electricity consumer from an electricity service supplier
 5 shall contain at least:

6 (a) The rate and amount due for each service or product that the retail electricity consumer is
 7 purchasing and other price information necessary to facilitate direct access, as determined by the
 8 commission;

9 (b) The rates and amounts of state and local taxes or fees, if any, imposed on the retail elec-
 10 tricity consumer;

11 (c) The amount of any public purpose charge or credit;

12 (d) The amount of any transition charge or transition credit; and

13 (e) Power source and environmental impact information necessary to ensure that all consumers
 14 have useful, reliable and necessary information to exercise informed choice, as determined by the
 15 commission.

16 (5)(a) A retail electricity consumer of an electric company shall receive, upon request, a sepa-
 17 rate bill from every individual electricity service supplier that provides products or services to the
 18 retail electricity consumer. If a retail electricity consumer of an electric company does not request
 19 separate bills, or a consolidated bill from an electricity service supplier as provided in paragraph
 20 (c) of this subsection, the electric company shall consolidate the bills for all electricity services into
 21 a single statement, and electricity service suppliers shall provide to the electric company the infor-
 22 mation necessary to prepare a consolidated statement.

23 (b) The requirement for bill consolidation by an electric company shall continue through De-
 24 cember 31, 2001, after which time the commission may waive the requirement if the waiver results
 25 in effective billing procedures for retail electricity consumers.

26 (c) Upon the request of a retail electricity consumer of an electric company, an electricity ser-
 27 vice supplier shall consolidate the bills for all electricity services into a single statement, and
 28 electric utilities and other electricity service suppliers shall provide to the billing electricity service
 29 supplier any information necessary to prepare a consolidated statement.

30 (d) For retail electricity consumers of an electric company, the commission shall adopt by rule
 31 provisions relating to the failure of a consumer to make full payment on a consolidated bill. The
 32 rules shall address collection of payments, service disconnection and reconnection, and the allo-
 33 cation of costs associated with collection, disconnection and reconnection. A distribution utility
 34 shall be solely responsible for actual disconnection and reconnection.

35 **SECTION 2. Notwithstanding the amendments to ORS 757.649 by section 1 of this 2007**
 36 **Act, the Public Utility Commission may not require an electricity service supplier to com-**
 37 **pensate a city for the use of the city rights of way for any electricity sold under a contract**
 38 **between an electricity service supplier and a retail electricity consumer that was entered**
 39 **into before the effective date of this 2007 Act.**

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