

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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**Action:** Do Pass as Amended and Be Printed Engrossed

**Vote:** 4 - 0 - 1

**Yeas:** George, Schrader, Starr, Metsger

**Nays:** -

**Exc.:** Verger

**Prepared By:** Jim Stenbridge, Administrator

**Meeting Dates:** 4/9, 4/22

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**WHAT THE MEASURE DOES:** Requires public bodies to coordinate with utilities in the planning of highway projects to minimize costs. Excludes property owned by the Port of Portland. Allows utilities to seek and receive reimbursement from private parties or customers. Allows a telecommunications utility not subject to rate-of-return regulation to request Public Utilities Commission (PUC) authorization to recover relocation costs from customers. Prescribes PUC procedures for determining the level of authorized cost recovery.

**ISSUES DISCUSSED:**

- Utility facilities, including poles, cable vaults, fiber optics, pipelines
- Examples of other private facilities using public right-of-way
- Increasing number of construction projects expected due to economic stimulus packages
- Relocation cost recovery mechanisms built-in to Public Utilities Commission regulation
- Local authority over local rights-of-way
- Private developer utility-relocation requests that are reimbursable, public requests that are not, and how to tell the difference between them
- Examples of local public body planning and design process
- Developer and utility participation in early planning of projects

**EFFECT OF COMMITTEE AMENDMENT:** Adds legislative policy statement. Replaces utility relocation procedures. Requires utility and public body to coordinate the planning of the highway project to minimize costs. Excludes property owned by the Port of Portland. Includes non-utility telecommunications providers. Allows utilities to seek and receive reimbursement from private parties or customers. Allows a telecommunications utility not subject to rate-of-return regulation to request Public Utilities Commission (PUC) authorization to recover relocation costs from customers. Prescribes PUC procedures for determining the level of authorized cost recovery.

**BACKGROUND:** City, county, state, and interstate road improvement projects often require the identification and relocation of utilities. Coordination of these utility relocations among public agencies, utility owners and construction contractors has been a growing concern. Lack of effective coordination may result in incomplete construction plans, construction delays, and additional costs.