

Enrolled
Senate Bill 237

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Business, Transportation and Economic Development)

CHAPTER

AN ACT

Relating to amounts owed to a public utility.

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

SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 757.

SECTION 2. (1) If a public utility determines that a current or former customer of the public utility was previously billed an incorrect amount for a service provided by the public utility under rate schedules or tariffs in effect for the public utility on the date on which the service was provided, the public utility may:

(a) If the public utility underbilled the customer, issue a bill to the customer for amounts the customer owes the public utility in accordance with subsection (2) of this section; or

(b) If the public utility overbilled the customer, refund the customer for amounts the public utility owes the customer in accordance with subsection (3) of this section.

(2)(a) Except as provided in paragraph (b) of this subsection, when issuing a bill under subsection (1)(a) of this section, a public utility:

(A) May only collect amounts incorrectly billed during the 12-month period ending on the date on which the public utility issued the last incorrect bill; and

(B) May not collect amounts incorrectly billed more than two years before the date on which the public utility identified the incorrect bill.

(b) If an incorrect billing described in subsection (1) of this section is the result of fraud, tampering, diversion, theft, misinformation or other dishonest or unlawful conduct for which the customer is responsible, the public utility may collect full payment for any amount that the customer of the public utility owes the public utility.

(3) When making a refund under subsection (1)(b) of this section, a public utility:

(a) May only refund amounts incorrectly received during the 12-month period ending on the date on which the public utility issued the last incorrect bill; and

(b) May not refund amounts incorrectly received more than three years before the date on which the public utility identified the incorrect bill.

Passed by Senate March 21, 2013

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 6, 2013

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2013

Approved:

.....M,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2013

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Kate Brown, Secretary of State