

D R A F T

SUMMARY

Modifies general powers of Public Utility Commission.

A BILL FOR AN ACT

1
2 Relating to the Public Utility Commission; amending ORS 756.040, 756.062
3 and 756.534.

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

5 **SECTION 1.** ORS 756.040 is amended to read:

6 756.040. (1) In addition to the powers and duties now or hereafter trans-
7 ferred to or vested in the Public Utility Commission, the commission shall
8 represent the customers of any public utility or telecommunications utility
9 and the public generally in all controversies respecting rates, valuations,
10 service and all matters of which the commission has jurisdiction. In respect
11 thereof the commission shall make use of the jurisdiction and powers of the
12 office to protect such customers, and the public generally, from unjust and
13 unreasonable exactions and practices and to obtain for them adequate service
14 at fair and reasonable rates. The commission shall balance the interests of
15 the utility investor and the consumer in establishing fair and reasonable
16 rates. Rates are fair and reasonable for the purposes of this subsection if the
17 rates provide adequate revenue both for operating expenses of the public
18 utility or telecommunications utility and for capital costs of the utility, with
19 a return to the equity holder that is:

20 (a) Commensurate with the return on investments in other enterprises
21 having corresponding risks; and

22 (b) Sufficient to ensure confidence in the financial integrity of the utility,

1 allowing the utility to maintain its credit and attract capital.

2 **(2) In addition to the duties and powers described in subsection (1)**
3 **of this section, the commission shall serve the public interest when**
4 **deciding or deliberating toward a decision by:**

5 **(a) Protecting the customers of any public utility or telecommuni-**
6 **cations utility and the public generally with respect to the provision**
7 **by the public utility or telecommunications utility of safe and reliable**
8 **services, and with respect to the establishment by the public utility**
9 **or telecommunications utility of safe and reliable infrastructure;**

10 **(b) Developing and implementing policies and rules that encourage**
11 **social equity, environmental justice, the enhancement of the environ-**
12 **ment, greenhouse gas emissions reductions, customer choice, the di-**
13 **verse ownership of electric generation systems, the fulfillment of the**
14 **state's energy and climate policies and the health of the state's econ-**
15 **omy;**

16 **(c) Stimulating and promoting innovation and competition in the**
17 **energy, transportation, water and telecommunications industries; and**

18 **(d) Allowing and fostering broad participation in the regulatory**
19 **process.**

20 [(2)] **(3)** The commission is vested with power and jurisdiction to super-
21 vise and regulate every public utility and telecommunications utility in this
22 state, and to do all things necessary and convenient in the exercise of such
23 power and jurisdiction.

24 [(3)] **(4)** The commission may participate in any proceeding before any
25 public officer, commission or body of the United States or any state for the
26 purpose of representing the public generally and the customers of the ser-
27 vices of any public utility or telecommunications utility operating or pro-
28 viding service to or within this state.

29 [(4)] **(5)** The commission may make joint investigations, hold joint
30 hearings within or without this state and issue concurrent orders in con-
31 junction or concurrence with any official, board, commission or agency of

1 any state or of the United States.

2 **SECTION 2.** ORS 756.062 is amended to read:

3 756.062. (1) A substantial compliance with the requirements of the laws
4 administered by the Public Utility Commission is sufficient to give effect to
5 all the rules, orders, acts and regulations of the commission and they shall
6 not be declared inoperative, illegal or void for any omission of a technical
7 nature in respect thereto.

8 (2) The provisions of such laws shall be liberally construed in a manner
9 consistent with the directives of ORS 756.040 (1) **and (2)** to promote the
10 public welfare, efficient facilities and substantial justice between customers
11 and public and telecommunications utilities.

12 **SECTION 3.** ORS 756.534 is amended to read:

13 756.534. Except as provided in ORS 756.040 [(4)] **(5)**, the hearing may be
14 held at any place designated by the Public Utility Commission within this
15 state, or different parts of the hearing may be held at different places in this
16 state, as shall be designated by the commission. The hearing may be contin-
17 ued from time to time and place to place as ordered and fixed by the com-
18 mission.

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