

# House Bill 2855

Sponsored by COMMITTEE ON ENERGY AND ENVIRONMENT (at the request of Northwest and Intermountain Power Producers Coalition, Renewable Energy Coalition, Community Renewable Energy Association)

## 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**.

Modifies general powers of Public Utility Commission.

## A BILL FOR AN ACT

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

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

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

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

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

(b) Sufficient to ensure confidence in the financial integrity of the utility, allowing the utility to maintain its credit and attract capital.

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

**(a) Protecting the customers of any public utility or telecommunications utility and the public generally with respect to the provision by the public utility or telecommunications utility of safe and reliable services, and with respect to the establishment by the public utility or telecommunications utility of safe and reliable infrastructure;**

**(b) Developing and implementing policies and rules that encourage social equity, environmental justice, the enhancement of the environment, greenhouse gas emissions reductions, customer choice, the diverse ownership of electric generation systems, the fulfillment of the state's energy and climate policies and the health of the state's economy;**

**(c) Stimulating and promoting innovation and competition in the energy, transportation,**

**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 **water and telecommunications industries; and**

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

3 [(2)] (3) The commission is vested with power and jurisdiction to supervise and regulate every  
4 public utility and telecommunications utility in this state, and to do all things necessary and con-  
5 venient in the exercise of such power and jurisdiction.

6 [(3)] (4) The commission may participate in any proceeding before any public officer, commission  
7 or body of the United States or any state for the purpose of representing the public generally and  
8 the customers of the services of any public utility or telecommunications utility operating or pro-  
9 viding service to or within this state.

10 [(4)] (5) The commission may make joint investigations, hold joint hearings within or without  
11 this state and issue concurrent orders in conjunction or concurrence with any official, board, com-  
12 mission or agency of any state or of the United States.

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

14 756.062. (1) A substantial compliance with the requirements of the laws administered by the  
15 Public Utility Commission is sufficient to give effect to all the rules, orders, acts and regulations  
16 of the commission and they shall not be declared inoperative, illegal or void for any omission of a  
17 technical nature in respect thereto.

18 (2) The provisions of such laws shall be liberally construed in a manner consistent with the di-  
19 rectives of ORS 756.040 (1) **and (2)** to promote the public welfare, efficient facilities and substantial  
20 justice between customers and public and telecommunications utilities.

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

22 756.534. Except as provided in ORS 756.040 [(4)] (5), the hearing may be held at any place des-  
23 ignated by the Public Utility Commission within this state, or different parts of the hearing may be  
24 held at different places in this state, as shall be designated by the commission. The hearing may be  
25 continued from time to time and place to place as ordered and fixed by the commission.

26