

**HB 3160 A STAFF MEASURE SUMMARY**  
**House Committee On Climate, Energy, and Environment**

**Carrier:** Rep. Kropf

**Action Date:** 02/22/23

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 9-0-1-0

**Yeas:** 9 - Andersen, Kropf, Levy B, Levy E, Marsh, Osborne, Owens, Pham K, Wallan

**Exc:** 1 - Helm

**Fiscal:** No fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Erin Pischke, LPRO Analyst

**Meeting Dates:** 2/13, 2/22

**WHAT THE MEASURE DOES:**

Modifies period of suspension of proposed utility rate or schedule of rates pending investigation and determination from initial six-month period plus additional three-month period to single nine-month period. Extends period during which Public Utility Commission (PUC) must issue order on application to acquire public utility from within 19 business days of receiving application to 11 months. Permits PUC to extend period to issue order for cause. Requires water utility that applies for order designating area as exclusive service territory to include in the application a copy of notice of filing and to give notice within 30 days of filing application: 1) by electronic mail to all customers of record of water utility in area described in application; 2) by press release to news media local to area described in application; and 3) by publication in one or more newspapers of general circulation in the area described in the application at least once weekly for two successive weeks. Requires notice to describe area of proposed exclusive service territory and general rate impact to existing customers. Requires person providing utility service who contracts with another person providing similar utility service for purpose of allocating territories and customers to give notice of contract filed with PUC: 1) by electronic mail to all customers of record affected by contract; 2) by press release to news media local to area affected by contract; and 3) by publication in one or more newspapers of general circulation in the area affected by the contract at least once weekly for two successive weeks. Requires notice to describe area subject to contract and general rate impact to existing customers. Requires person providing utility service in territory that applies for order allocating such territory to person to include in application copy of notice of filing and to give notice within 30 days of filing application: 1) by mail or electronic mail to all customers of record in area covered by application; 2) by press release to news media local to area described in application; and 3) by publication in one or more newspapers of general circulation in the area covered by the application at least once weekly for two successive weeks. Requires notice to area covered by the application and general rate impact to existing customers.

**ISSUES DISCUSSED:**

- Print media coverage area
- Provisions of measure

**EFFECT OF AMENDMENT:**

Permits Public Utility Commission (PUC) to extend period to issue order to acquire public utility through an agreement between the commission and applicant. Requires water utility that applies for order designating area as exclusive service territory to include in the application a copy of notice of filing and to give notice by publication in one or more newspapers of general circulation in the area described in the application at least once weekly for two successive weeks. Requires person providing utility service who contracts with another person providing similar utility service for purpose of allocating territories and customers to give notice of contract filed with PUC by publication in one or more newspapers of general circulation in the area affected by the contract at

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least once weekly for two successive weeks. Requires PUC, within 30 days after the filing of an application under this section, to give notice of the filing to all providers of similar utility services in the areas adjacent to the area covered by the application. Requires person providing utility service in territory that applies for order allocating such territory to person to include in application copy of notice of filing by mail or electronic mail to all customers of record in area covered by application and by publication in one or more newspapers of general circulation in the area covered by the application at least once weekly for two successive weeks. Requires notice to area covered by the application and general rate impact to existing customers.

### **BACKGROUND:**

The Public Utility Commission (PUC) is Oregon's public body responsible for regulating rates for public utilities, which include electric, natural gas, telephone, and some water companies. ORS 757.215 authorizes the PUC to suspend utility rates or new rates if rates are under investigation for an initial six-month period plus additional three-month period.

In the past, the PUC would publish public notice of filings in local newspaper or other commonly circulated newspapers. The increased accessibility of the internet and electronic mail has enabled the PUC to issue notice of filings using that technology.

House Bill 3160 A modifies the period of suspension of a proposed utility rate or schedule of rates pending an investigation and determination from the initial six-month period plus an additional three-month period to single nine-month period. The measure also modifies notice requirements.