

Requested by Representative SOSA

**PROPOSED AMENDMENTS TO
HOUSE BILL 3179**

1 On page 1 of the printed bill, line 2, delete the first “and” and delete “and
2 757.457” and insert “, 757.215, 757.457 and 757.461; and declaring an emer-
3 gency”.

4 Delete lines 7 through 20 and delete pages 2 through 7 and insert:

5 **“SECTION 1. Section 2 of this 2025 Act is added to and made a part
6 of ORS 757.210 to 757.220.**

7 **“SECTION 2. (1) In determining whether a public utility’s proposed
8 residential rate or schedule of rates to be established or increased or
9 changed is fair, just and reasonable, the Public Utility Commission
10 shall consider:**

11 **“(a) The residential rate impact that will result from the proposed
12 rate or schedule of rates in the aggregate for the 24 months beginning
13 on the date the proposed rate or schedule of rates is to take effect
14 including the residential rate impact resulting from all rates or
15 schedules of rates that the commission has approved within the pre-
16 vious 24 months for the public utility; and**

17 **“(b) A comparison of the public utility’s proposed return on equity
18 for the 12 months beginning on the date the proposed rate or schedule
19 of rates is to take effect with the public utility’s return on equity for
20 the 24 months ending on the day before the date the proposed rate or
21 schedule of rates is to take effect.**

1 **“(2) In deciding whether to approve the proposed rate or schedule**
2 **of rates, the commission shall also consider the cumulative economic**
3 **impact of a proposed rate or schedule of rates on the public utility’s**
4 **residential ratepayers if a public utility’s proposed rate or schedule of**
5 **rates will result in an increase of the public utility’s residential rates.**
6 **The commission shall conduct an independent analysis of the cumu-**
7 **lative economic impact, taking into consideration the analysis pro-**
8 **vided to the commission by the public utility under subsection (3) of**
9 **this section.**

10 **“(3) If a public utility’s proposed residential rate or schedule of**
11 **rates will result in an increase of residential rates, the public utility**
12 **shall include with its filing an analysis of the cumulative economic**
13 **impact of the proposed rate or schedule of rates on the public utility’s**
14 **residential ratepayers. The analysis must take into consideration the**
15 **following:**

16 **“(a) Data on the rates of unemployment, the median income and**
17 **the number of persons receiving social service assistance in the public**
18 **utility’s service territory;**

19 **“(b) For each classification of service of the public utility affected**
20 **by the proposed rate or schedule of rates and, if applicable, distin-**
21 **guished by ratepayers who reside in single-family housing and**
22 **ratepayers who reside in multifamily housing:**

23 **“(A) Ratepayers’ average monthly utility bill for the 18 months**
24 **ending on the date before the date the proposed rate or schedule of**
25 **rates is to take effect;**

26 **“(B) The range of utility bills for the winter months, based on cli-**
27 **mate zone, for ratepayers with electric heat or home weatherization;**
28 **and**

29 **“(C) The estimated dollar amount and percentage increase in**
30 **ratepayers’ utility bills;**

1 “(c) The average cost of living and cost of fuel and utilities for the
2 country, state and service territory of the public utility, as determined
3 by the commission using the Consumer Price Index for All Urban
4 Consumers, West Region (All Items), as most recently published by the
5 Bureau of Labor Statistics of the United States Department of Labor;

6 “(d) The public utility’s data on residential service disconnection for
7 nonpayment, including:

8 “(A) The number of ratepayers the public utility disconnected for
9 nonpayment in the previous 12 months;

10 “(B) The number of ratepayers receiving energy assistance, includ-
11 ing any government assistance, utility bill discount or utility
12 arrearage program, that the public utility disconnected for nonpay-
13 ment in the previous 12 months;

14 “(C) The number of ratepayers who have a medical certificate filed
15 with the public utility; and

16 “(D) Data related to customers who are enrolled in the public
17 utility’s energy assistance programs, including disconnection morato-
18 rium programs.

19 “(e) The public utility’s data on overdue balances, including:

20 “(A) The number of ratepayers who have an overdue balance;

21 “(B) The average amount of the overdue balances; and

22 “(C) The total amount of overdue balances owed to the public util-
23 ity; and

24 “(f) Any other relevant data, as determined by the commission,
25 such as indicators of financial hardship, residential customer energy
26 burden or affordability of utility bills.

27 “(4) The commission may contract or coordinate with other state
28 agencies, energy assistance providers or the nongovernmental entity
29 that administers public purpose charge moneys collected under ORS
30 757.612 (3)(d), to collect data necessary to carry out this section.

1 **“(5) The commission may establish rules to carry out this section.**

2 **“SECTION 3.** ORS 756.040 is amended to read:

3 “756.040. (1) In addition to the powers and duties now or hereafter trans-
4 ferred to or vested in the Public Utility Commission, the commission shall
5 represent the customers of any public utility or telecommunications utility
6 and the public generally in all controversies respecting rates, valuations,
7 service and all matters of which the commission has jurisdiction. In respect
8 thereof the commission shall make use of the jurisdiction and powers of the
9 office to protect such customers, and the public generally, from unjust and
10 unreasonable exactions and practices and to obtain for them adequate service
11 at fair and reasonable rates. The commission shall balance the interests of
12 the utility investor and the consumer in establishing fair and reasonable
13 rates. [*Rates are fair and reasonable for the purposes of this subsection if the*
14 *rates*] **In carrying out the commission’s duty to protect customers of**
15 **utilities and the public, the commission has broad discretion in setting**
16 **rates, including discretion to set the lowest reasonable rates as long**
17 **as those rates** provide adequate revenue both for **reasonable** operating ex-
18 penses of the public utility or telecommunications utility and for **prudently**
19 **incurred** capital costs of the utility, with a return to the equity holder that
20 is:

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

23 “(b) Sufficient to ensure confidence in the financial integrity of the util-
24 ity, allowing the utility to maintain its credit and attract capital.

25 “(2) The commission is vested with power and jurisdiction to supervise
26 and regulate every public utility and telecommunications utility in this state,
27 and to do all things necessary and convenient in the exercise of such power
28 and jurisdiction.

29 “(3) The commission may participate in any proceeding before any public
30 officer, commission or body of the United States or any state for the purpose

1 of representing the public generally and the customers of the services of any
2 public utility or telecommunications utility operating or providing service
3 to or within this state.

4 “(4) The commission may make joint investigations, hold joint hearings
5 within or without this state and issue concurrent orders in conjunction or
6 concurrence with any official, board, commission or agency of any state or
7 of the United States.

8 **“SECTION 4.** ORS 757.210 is amended to read:

9 “757.210. (1)(a) Whenever any public utility files with the Public Utility
10 Commission any rate or schedule of rates stating or establishing a new rate
11 or schedule of rates or increasing an existing rate or schedule of rates, the
12 commission may, either upon written complaint or upon the commission’s
13 own initiative, after reasonable notice, conduct a hearing to determine
14 whether the rate or schedule is fair, just and reasonable. The commission
15 shall conduct the hearing upon written complaint filed by the utility, its
16 customer or customers, or any other proper party within 60 days of the
17 utility’s filing; provided that no hearing need be held if the particular rate
18 change is the result of an automatic adjustment clause. At the hearing the
19 utility shall bear the burden of showing that the rate or schedule of rates
20 proposed to be established or increased or changed is fair, just and reason-
21 able. The commission may not authorize a rate or schedule of rates that is
22 not fair, just and reasonable.

23 “(b) As used in this subsection, ‘automatic adjustment clause’ means a
24 provision of a rate schedule that provides for rate increases or decreases or
25 both, without prior hearing, reflecting increases or decreases or both in costs
26 incurred, taxes paid to units of government or revenues earned by a utility
27 and that is subject to review by the commission at least once every two
28 years.

29 “(2)(a) Subsection (1) of this section does not apply to rate changes under
30 an approved alternative form of regulation plan, including a resource rate

1 plan under ORS 757.212.

2 “(b) Any alternative form of regulation plan shall include provisions to
3 ensure that the plan operates in the interests of utility customers and the
4 public generally and results in rates that are just and reasonable and may
5 include provisions establishing a reasonable range for rate of return on in-
6 vestment. In approving a plan, the commission shall, at a minimum, consider
7 whether the plan:

8 “(A) Promotes increased efficiencies and cost control;

9 “(B) Is consistent with least-cost resources acquisition policies;

10 “(C) Yields rates that are consistent with those that would be obtained
11 following application of ORS 757.269;

12 “(D) Is consistent with maintenance of safe, adequate and reliable service;
13 and

14 “(E) Is beneficial to utility customers generally, for example, by mini-
15 mizing utility rates.

16 “(c) As used in this subsection, ‘alternative form of regulation plan’
17 means a plan adopted by the commission upon petition by a public utility,
18 after notice and an opportunity for a hearing, that sets rates and revenues
19 and a method for changes in rates and revenues using alternatives to cost-
20 of-service rate regulation.

21 “(d) Prior to implementing a rate change under an alternative form of
22 regulation plan, the utility shall present a report that demonstrates the cal-
23 culation of any proposed rate change at a public meeting of the commission.

24 “(3) Except as provided in ORS 757.212, the commission, at any time, may
25 order a utility to appear and establish that any, or all, of its rates in a plan
26 authorized under subsection (2) of this section are in conformity with the
27 plan and are just and reasonable. Except as provided in ORS 757.212, such
28 rates, and the alternative form of regulation plan under which the rates are
29 set, also shall be subject to complaint under ORS 756.500.

30 “(4) Periodically, but not less often than every two years after the im-

1 plementation of a plan referred to in subsection (2) of this section, the com-
2 mission shall submit a report to the Legislative Assembly that shows the
3 impact of the plan on rates paid by utility customers.

4 “(5) The commission and staff may consult at any time with, and provide
5 technical assistance to, utilities, their customers, and other interested parties
6 on matters relevant to utility rates and charges. If a hearing is held with
7 respect to a rate change, the commission’s decisions shall be based on the
8 record made at the hearing.

9 **“(6) The commission may adjust rates to mitigate or phase in an**
10 **increase in rates if the increase is of such magnitude that, if applied**
11 **at the higher rate or all at one time, the increase would affect the**
12 **ability of customers to maintain adequate utility service or could**
13 **materially affect the economy of the state.**

14 **“(7) Any increase in residential rates may not take effect from No-**
15 **vember 1 to March 31 in any given year.**

16 **“(8) A general rate revision rate increase for a public utility’s resi-**
17 **dential rates may not take effect within 18 months from the effective**
18 **date of the last general rate revision rate increase for the public**
19 **utility’s residential rates.**

20 **“SECTION 5.** ORS 757.215 is amended to read:

21 **“757.215. (1) The Public Utility Commission may, pending such investi-**
22 **gation and determination, order the suspension of the rate or schedule of**
23 **rates for a period of up to nine months beyond the time when such rate or**
24 **schedule would otherwise go into effect. If the commission finds that the**
25 **investigation will not be completed at the expiration of the initial**
26 **suspension, the commission may enter an order further suspending**
27 **such rate or schedule of rates for not more than three months beyond**
28 **the last day of the initial suspension.**

29 **“(2) This section does not prevent the commission and the utility from**
30 **entering into a written stipulation at any time extending any period of sus-**

1 pension.

2 “(3) After full hearing, whether completed before or after such rate or
3 schedule has gone into effect, the commission may make such order in ref-
4 erence thereto as would be proper in a proceeding initiated after such rate
5 or schedule has become effective.

6 “(4) If the commission is required to or determines to conduct a hearing
7 on a rate or schedule of rates filed pursuant to ORS 757.210, but does not
8 order a suspension thereof, any increased revenue collected by the utility as
9 a result of such rate or rate schedule becoming effective shall be received
10 subject to being refunded. If the rate or rate schedule thereafter approved
11 by the commission is for a lesser increase or for no increase, the utility shall
12 refund the amount of revenues received that exceeds the amount approved
13 as nearly as possible to the customers from whom such excess revenues were
14 collected, by a credit against future bills or otherwise, in such manner as the
15 commission orders.

16 “(5) The commission may in a suspension order authorize an interim rate
17 or rate schedule under which the utility’s revenues will be increased by an
18 amount deemed reasonable by the commission, not exceeding the amount re-
19 quested by the utility. Any such interim increase for a public utility as de-
20 fined in ORS 757.005 that produces, transmits, delivers or furnishes heat,
21 light or power shall be effected by rates designed to increase the utility’s
22 revenues without materially changing the revenue relationships among cus-
23 tomer classes or between the revenues derived from demand charges and from
24 energy charges. An interim rate or rate schedule shall remain in effect until
25 terminated by the commission. Upon completion of the hearing and decision,
26 the commission shall order the utility to refund that portion of the increase
27 in the interim rate or schedule that the commission finds is not justified.
28 Any refund of an interim increase under this subsection shall be based upon
29 an analysis of the utility’s earnings for a period reasonably representative
30 of the period during which the interim increase was in effect. Refunds shall

1 be made as nearly as possible to the customers against whom the interim
2 rates were charged, by credits against future bills or in such other manner
3 as the commission orders.

4 “(6) Refunds ordered by the commission under subsection (4) or (5) of this
5 section shall include interest on the amount determined to be subject to re-
6 fund from the date such interim rate or rate schedules took effect.

7

8 **“SECURITIZATION OF CAPITAL INVESTMENTS**

9

10 **“SECTION 6.** ORS 757.457 is amended to read:

11 “757.457. As used in this section and ORS 757.459, 757.461 and 757.463:

12 “(1) ‘Assignee’ means a person, and any subsequent assignee, to which a
13 public utility assigns, sells or transfers all or part of the public utility’s in-
14 terest in or right to rate recovery assets, except as security.

15 “(2) ‘Bond’ includes bonds, notes, certificates of beneficial interests in a
16 trust or other evidence of indebtedness.

17 “(3) ‘Bondholder’ means a holder or owner of a rate recovery bond.

18 “(4) ‘Finance subsidiary’ means an assignee at the time rate recovery
19 bonds are issued:

20 “(a)(A) That is beneficially owned, directly or indirectly, by a public
21 utility; or

22 “(B) In the case of a trust, for which a public utility or subsidiary of the
23 public utility is the grantor; or

24 “(b) That is unaffiliated with a public utility and acquires bondable rate
25 recovery assets from a public utility in a transaction or under an agreement
26 that is approved by the Public Utility Commission.

27 “(5) ‘Financing costs’ includes the following costs related to rate recovery
28 bonds, whether incurred and paid upon issuance or over the life of rate re-
29 covery bonds:

30 “(a) The costs of issuing, serving, managing, repaying or refinancing rate

1 recovery bonds, including any fees, expenses or charges incurred and the
2 costs of any activities performed in connection with the rate recovery bonds,
3 including:

4 “(A) Information technology programming;

5 “(B) Obtaining a financing order;

6 “(C) Serving, accounting or auditing;

7 “(D) Services related to trustees;

8 “(E) Legal services;

9 “(F) Consulting;

10 “(G) Services related to financial and structuring advisors;

11 “(H) Administration;

12 “(I) Placement and underwriting;

13 “(J) Services related to independent directors and managers;

14 “(K) Services related to rating agencies;

15 “(L) Stock exchange listing and compliance;

16 “(M) Securities registration and filing; and

17 “(N) Services necessary to ensure a timely payment of rate recovery bonds
18 or other amounts or charges payable in connection with rate recovery bonds;

19 “(b) Principal, interest and acquisition, defeasance and redemption pre-
20 miums payable on rate recovery bonds;

21 “(c) Payments required under an ancillary agreement and any amounts
22 required to fund or replenish a reserve or account established under the
23 terms of an indenture, ancillary agreement or financing document related to
24 rate recovery bonds;

25 “(d) Applicable federal, state and local taxes, franchise fees, license fees,
26 gross receipts or other taxes or charges, whether paid, payable or accrued;
27 and

28 “(e) The Public Utility Commission’s costs in performing the commission’s
29 duties related to rate recovery bonds that are recoverable by the commission
30 under ORS 756.310.

1 “(6) ‘Financing order’ means an order issued by the Public Utility Com-
2 mission that authorizes one or more the following:

3 “(a) The recovery of rate recovery expenditures and financing costs;

4 “(b) The creation of rate recovery assets;

5 “(c) The issuance of rate recovery bonds;

6 “(d) The imposition, collection and periodic adjustment of rate recovery
7 charges; or

8 “(e) The sale, assignment or transfer of rate recovery assets to an
9 assignee.

10 “(7) ‘Financing party’ includes:

11 “(a) Bondholders, trustees, agents and secured parties related to rate re-
12 covery bonds;

13 “(b) A person acting for the benefit of bondholders, trustees, agents or
14 secured parties; and

15 “(c) A party to rate recovery bond documents or an ancillary agreement.

16 “(8) ‘Public utility customer’ means:

17 “(a) For an electric utility, a retail electricity consumer, as defined in
18 ORS 757.600.

19 “(b) For a natural gas utility, the end use consumer served by the natural
20 gas utility, including those served by the natural gas utility under ORS
21 757.516, regardless of whether the end use consumer purchases natural gas
22 from the natural gas utility.

23 “(9) ‘Rate recovery asset’ means a right to recover from customers rate
24 recovery expenditures and associated costs and expenses approved in a fi-
25 nancing order, including the right to:

26 “(a) Impose, charge, bill, collect, receive, hold and apply rate recovery
27 charges authorized under a financing order or obtain, to the extent author-
28 ized, periodic adjustments of rate recovery charges; and

29 “(b) All claims, accounts, revenues, payments, collections, moneys or
30 proceeds arising from the rights and interest specified in a financing order,

1 regardless of whether the claims, accounts, revenues, payments, collections,
2 moneys or proceeds arising from the rights and interest specified in the fi-
3 nancing order are commingled with other claims, accounts, revenues, pay-
4 ments, collections, moneys or proceeds.

5 “(10) ‘Rate recovery charge’ means charges to public utility customers
6 authorized by the Public Utility Commission to recover rate recovery ex-
7 penditures and financing costs and to be used to pay, repay or refinance rate
8 recovery bonds.

9 “(11) ‘Rate recovery expenditures’ means costs and expenses incurred or
10 to be incurred through the date of issuance of a financing order by a public
11 utility associated with:

12 “(a) An event that is the subject of a federal or state declaration of a
13 state of emergency, such as severe weather, catastrophic wildfire, pandemic
14 or other event that causes or threatens to cause widespread loss of life, in-
15 jury to person or property, human suffering or financial loss, except those
16 costs and expenses that are or are associated with criminal or civil fines or
17 penalties or judgments from a civil action based on negligence related to the
18 event.

19 “(b) An energy conservation program that provides loans and cash pay-
20 ments to public utility customers for the installation of energy conservation
21 measures funded by the public utility including, but not limited to, the costs
22 or expenditures for specific acquisition program development, promotion and
23 labor costs and associated general supervision, rents, leases and overheads.

24 “(c) **Capital investments that are determined by the Public Utility**
25 **Commission to have the potential to significantly impact the**
26 **affordability of residential rates.**

27 “(12) ‘Secured party’ means a financing party that has been granted a
28 security interest in rate recovery assets.

29 “**SECTION 7.** ORS 757.461 is amended to read:

30 “757.461. (1)(a) A public utility may apply to the Public Utility Commis-

1 sion for a financing order designating all or part of rate recovery expendi-
2 tures as bondable rate recovery expenditures, for the purpose of financing
3 or refinancing the designated expenditures under ORS 757.415 (1)(f).

4 “(b) After notice and an opportunity for a hearing, the commission may
5 approve an application if the commission finds that:

6 “(A) The rate recovery expenditures included in the application are rea-
7 sonable and prudent;

8 “(B) Financing or refinancing the rate recovery expenditures through the
9 issuance of rate recovery bonds is likely to be more favorable to public
10 utility customers for the recovery of rate recovery expenditures as compared
11 to other methods; and

12 “(C) Bonds, notes, certificates of beneficial interests in a trust and other
13 evidences of indebtedness or ownership issued pursuant to the approval are
14 reasonably likely to receive a determination of, at a minimum, investment
15 grade by credit rating agencies.

16 “(c) The commission shall issue an order within 180 days of an application
17 approving or denying the application. If the commission approves the appli-
18 cation, the commission shall issue a financing order.

19 “(2)(a) A financing order issued under this section shall specify the
20 highest amount of rate recovery expenditures that qualify as bondable rate
21 recovery expenditures.

22 “(b) In specifying the amount for rate recovery expenditures associated
23 with an event described in ORS 757.457 (11)(a), net of appropriate adjust-
24 ments as determined by the commission to be reasonable, the commission
25 may include, but is not limited to including, the following rate recovery ex-
26 penditures:

27 “(A) Capital and operating costs incurred or to be incurred as a result
28 of the event;

29 “(B) Lost revenue associated with the event;

30 “(C) Costs and expenses that may be recovered at a later time from third

1 parties or insurers and returned to public utility customers through a sepa-
2 rate rate proceeding consistent with cost causation and rate design princi-
3 ples and statutory or regulatory requirements; and

4 “(D) Carrying costs or charges.

5 “(3) A financing order issued under this section must include the follow-
6 ing provisions:

7 “(a) Confirmation of the existence of recoverable rate recovery expendi-
8 tures and authorization to recover rate recovery expenditures and associated
9 financing costs, including the maximum principal amount of bondable rate
10 recovery expenditures and financing costs that may be recovered through
11 securitization;

12 “(b) Authorization for the creation of rate recovery assets and imposition
13 of rate recovery charges that allow for the recovery of rate recovery ex-
14 penditures, as determined by the commission, and associated financing costs;

15 “(c) A requirement that the rate recovery charges authorized by the fi-
16 nancing order are ongoing and may not be avoided by a public utility cus-
17 tomer, as described under subsection (4) of this section, until all principal,
18 interest, premium and other amounts due on the rate recovery bonds and fi-
19 nancing costs have been paid in full;

20 “(d) A methodology for:

21 “(A) Allocating rate recovery charges between the different classes of
22 public utility customers, which may include not allocating rate recovery
23 charges to one or more classes of public utility customers, that is consistent
24 with cost causation and rate design principles and statutory or regulatory
25 requirements; and

26 “(B) Adjusting rate recovery charges as necessary to ensure timely pay-
27 ment on, and payment in full of, the rate recovery bonds and associated fi-
28 nancing costs or in response to changes to applicable customers, service
29 territories or collection rates;

30 “(e) Authorization for the public utility to issue one or more series of rate

1 recovery bonds with flexibility for the public utility to establish the terms
2 and conditions of the rate recovery bonds, including repayment schedules,
3 initial interest rates and initial financing costs;

4 “(f) Authorization to assign rate recovery assets to a financing subsidiary
5 and grant security interests in the rate recovery assets to secured parties
6 without limiting the rights of subsequent assignees;

7 “(g) Authorization for the bond documentation and ancillary documents
8 related to the rate recovery bonds, including servicing arrangements for the
9 rate recovery charges, without requiring the authorization to be on the final
10 forms of the documents;

11 “(h) Authorization **for the reasonable opportunity** for the public utility
12 to earn a return, at the cost of capital authorized in the public utility’s most
13 recent general rate case prior to the date of the financing order, on any
14 moneys advanced by the public utility to fund advances, reserves or capital
15 accounts established under the terms of any indenture, ancillary agreement
16 or financing documents related to the rate recovery bonds;

17 “(i) A finding that the proposed issuance of rate recovery bonds and the
18 imposition of rate recovery charges is expected to provide the lowest possible
19 reasonable and prudent cost on a net present value basis to public utility
20 customers for recovery of the rate recovery expenditures as compared to
21 other methods of financing and recovery;

22 “(j) A date, not earlier than one year from the date that the financing
23 order becomes final, on which the authority to issue rate recovery bonds
24 granted in the financing order expires;

25 “(k) A requirement that the public utility notify the commission if the
26 public utility recovers costs and expenses from a third party or insurer; and

27 “(L) Any other conditions that the commission finds appropriate and that
28 are consistent with this section.

29 “(4) Rate recovery charges authorized by a financing order shall be col-
30 lected through the rates or charges paid by, and may not be avoided by, the

1 public utility customers located within the public utility's allocated service
2 territory, as the territory existed on the date of the financing order or, if the
3 financing order provides, as such service territory may be expanded, even if:

4 “(a) The public utility customer receives electricity or natural gas, elec-
5 tricity or natural gas services or ancillary services from a successor or
6 assignee of the public utility;

7 “(b) The public utility customer elects to receive electricity or natural
8 gas, electricity or natural gas services or ancillary services from another
9 public utility, utility provider or service provider in the service territory; or

10 “(c) After the date of issuance of the financing order, the public utility
11 customer changes customer class.

12 “(5)(a) Rate recovery assets, including rate recovery charges, and the
13 rights of public utilities, assignees, bondholders and financing parties, es-
14 tablished by a financing order issued under this section, are irrevocable and
15 unchangeable, except as provided in the financing order, until all principal,
16 interest, premium, interest and amounts due on the rate recovery bonds and
17 financing costs are paid in full.

18 “(b) Until all principal, interest, premium, interest and amounts due on
19 the rate recovery bonds and financing costs are paid in full, the commission,
20 except as provided in the financing order, the State of Oregon and a public
21 body, as defined in ORS 174.109, may not:

22 “(A) Revalue the rate recovery expenditures or financing costs for
23 ratemaking purposes;

24 “(B) Determine that the rates or revenues authorized under the financing
25 order are unjust or unreasonable;

26 “(C) Reduce, alter or impair the rate recovery assets, rate recovery
27 charges or the collection of the rate recovery charges, or rate recovery bonds
28 or the security for the rate recovery bonds;

29 “(D) Rescind, suspend, amend or impair the financing order; or

30 “(E) When setting other rates or charges for the public utility or taking

1 other actions pursuant to the commission’s authority, consider the rate re-
2 covery bonds as debt of the public utility, the rate recovery assets to be
3 revenue for the public utility or the rate recovery expenditures to be costs
4 of the public utility.

5 “(6) The commission may [*not*] require a public utility to:

6 “(a) Apply to the commission for a financing order designating all or part
7 of rate recovery expenditures as bondable rate recovery expenditures; or

8 “(b) Finance or refinance rate recovery expenditures that the commission
9 has designated as bondable rate recovery expenditures.

10 “(7) Jurisdiction for review of a financing order issued under this section
11 shall be as provided for orders in contested cases pursuant to ORS 183.482,
12 except that a petition for rehearing or reconsideration is not allowed. If a
13 petition is not filed with the Court of Appeals within 60 days following the
14 date of issuance of a financing order, the order becomes a final and irrev-
15 ovable action of the commission and the State of Oregon and is not subject
16 to administrative or judicial challenge.

17

18 “REPORTS BY PUBLIC UTILITIES

19

20 “**SECTION 8. Sections 9 to 11 of this 2025 Act are added to and made**
21 **a part of ORS chapter 757.**

22 “**SECTION 9. No later than January 15 of each calendar year, a**
23 **public utility that provides electricity services in this state shall pro-**
24 **vide to the Public Utility Commission, and make publicly available on**
25 **the public utility’s website, a visual representation of cost categories**
26 **included in the public utility’s residential rates for the preceding cal-**
27 **endar year. The cost categories that are represented must include the**
28 **following:**

29 “**(1) Distribution services infrastructure, excluding costs associated**
30 **with wildfire mitigation;**

- 1 **“(2) Wildfire mitigation;**
2 **“(3) Transmission services infrastructure under the exclusive juris-**
3 **diction of the commission;**
4 **“(4) Transmission services infrastructure under the jurisdiction of**
5 **the Federal Energy Regulatory Commission;**
6 **“(5) Catastrophic events and emergencies;**
7 **“(6) Net metering and net billing tariffs;**
8 **“(7) Commodity prices, including natural gas;**
9 **“(8) Energy efficiency programs;**
10 **“(9) Insurance, including self-insurance and liability insurance;**
11 **“(10) Metering and billing;**
12 **“(11) Taxes;**
13 **“(12) Disconnections for nonpayment;**
14 **“(13) Overdue customer balances; and**
15 **“(14) Any other cost category as determined by the Public Utility**
16 **Commission for expenses that a public utility seeks to recover in the**
17 **public utility’s residential rates.**

18 **“SECTION 10. No later than January 15 of each calendar year, a**
19 **public utility that provides natural gas services in this state shall**
20 **provide to the Public Utility Commission, and make publicly available**
21 **on the public utility’s website, a visual representation of cost catego-**
22 **ries included in the public utility’s residential rates for the preceding**
23 **calendar year. The cost categories that are represented must include**
24 **the following:**

- 25 **“(1) Distribution services infrastructure;**
26 **“(2) Transmission services infrastructure under the exclusive juris-**
27 **diction of the commission;**
28 **“(3) Transmission services infrastructure under the jurisdiction of**
29 **the Federal Energy Regulatory Commission;**
30 **“(4) Catastrophic events and emergencies;**

- 1 “(5) Commodity prices, including natural gas;
2 “(6) Energy efficiency programs;
3 “(7) Insurance, including self-insurance;
4 “(8) Metering and billing;
5 “(9) Taxes;
6 “(10) Overdue customer balances; and
7 “(11) Any other cost category as determined by the Public Utility
8 Commission for expenses that a public utility seeks to recover in the
9 public utility’s residential rates.

10 **“SECTION 11. (1) The Public Utility Commission shall require a**
11 **public utility to file with the commission, and make publicly available,**
12 **a quarterly report on any rate adjustments the public utility expects**
13 **within the next 12 months. The report must identify the classification**
14 **of service or customer that may be affected by a rate adjustment that**
15 **the public utility expects.**

16 “(2) When a public utility files with the commission a change in
17 rates or an update to a filing for a change in rate, the public utility
18 shall make publicly available a forecast of how the change in rates
19 will affect rates for each customer class of the public utility.

20

21 **“CAPTIONS**

22

23 **“SECTION 12. The unit captions used in this 2025 Act are provided**
24 **only for the convenience of the reader and do not become part of the**
25 **statutory law of this state or express any legislative intent in the**
26 **enactment of this 2025 Act.**

27

28 **“APPLICABILITY**

29

30 **“SECTION 13. Section 2 of this 2025 Act and the amendments to**

1 **ORS 756.040, 757.210 and 757.215 by sections 3 to 5 of this 2025 Act apply**
2 **to proceedings before the Public Utility Commission that commence**
3 **on or after the effective date of this 2025 Act.**

4

5

“EFFECTIVE DATE

6

7 **“SECTION 14. This 2025 Act being necessary for the immediate**
8 **preservation of the public peace, health and safety, an emergency is**
9 **declared to exist, and this 2025 Act takes effect its passage.”.**

10
