

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on September 29, 2011 by the

Public Utility Commission

Date prior to or same as filing date

860

Agency and Division

Administrative Rules Chapter Number

Diane Davis

PO Box 2148, Salem, OR 97308

(503) 378-4372

Rules Coordinator

Address

Telephone

to become effective upon filing through March 30, 2012.

Date upon filing or later

A maximum of 180 days including the effective date.

RULE CAPTION

In the Matter of Adopting Temporary Amendments to OAR 860-038-0480

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

ADOPT:

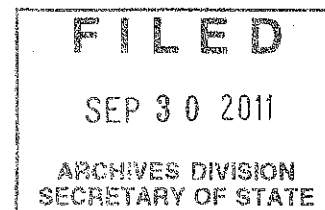
AMEND: 860-038-0480

SUSPEND:

Stat. Auth.: ORS 757.612

Other Auth.:

Stats. Implemented: ORS 757.612



RULE SUMMARY

These amendments change the recipient of public purpose charge monies for conservation in schools from Education Service Districts to school districts as required in amended ORS 757.612 based on 2011 House Bill 2960, also known as the Governor's "Cool Schools Bill." The amendments also establish that the Oregon Department of Energy (ODOE) may request reimbursement from the electric companies for costs associated with administering public purpose fund expenditures in schools as described in subsection (3)(e) of ORS 757.612 based on the PUC's authority to require such reimbursement as described in ORS 757.612(3)(c).

The amended rules also revise the wording of OAR 860-038-0480(15) to make it consistent with what is already happening in terms of utilities coordinating with the Oregon Department of Energy for determining by January 1 of each year the allocation of public purpose funds for schools to the school districts based on the methodology set out in amended OAR 860-038-0480(15)(a) through (e).


Authorized Signer

Diane Davis
Printed name

September 30, 2011
Date

*With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. ARC 940-2005

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Public Utility Commission

860

Agency and Division

Administrative Rules Chapter Number

In the Matter of the Adoption of Temporary Amendments to OAR 860-038-0480

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)
In the Matter of the Adoption of Temporary Amendments to OAR 860-038-0480

Statutory Authority: ORS 757.612

Other Authority:


Stats. Implemented: ORS 757.612

Need for the Temporary Rule(s): Temporary amendments to OAR 860-038-0480 are needed so that electric companies may begin sending public purposes fund monies designated for electricity conservation in schools to school districts rather than to education service districts and so that the Oregon Department of Energy may begin billing electric companies for its administrative costs.

Documents Relied Upon, and where they are available:

House Bill 2960, amending ORS 757.612, (2011 legislative session), available online at <http://www.leg.state.or.us/11reg/measpdf/hb2900.dir/hb2960.en.pdf>

Justification of Temporary Rule(s): 2011 House Bill 2960 contained an emergency clause making it effective upon passage. In an attempt to carry out the intent of the legislature as quickly as possible, these temporary amendments are necessary to start distributing funds to school districts rather than to education service districts.



Authorized Signer

Diane Davis

Printed name

September 30, 2011

Date

