Oregon Citizens' Utility Board
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Portland, OR 97205
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www.oregoncub.org

June 25, 2021

Public Utility Commission
Attn: Filing Center
P.O. Box 1088
Salem, OR 97308-1088

Re: AR 641 – Rulemaking to Review and Amend Division 001 Procedural Rules

Dear Filing Center:

Pursuant to Chief Administrative Law Judge Moser's June 16, 2021 email, the Oregon Citizens' Utility Board ("CUB") submits these comments on the last tranche of administrative rules to be considered within the Oregon Public Utility Commission's (Commission) AR 641 rulemaking. CUB appreciates the work of the Commission and the wide range of stakeholders that have participated in this important proceeding. CUB has limited comments on this tranche of rules, and will address each section that we have comments on in turn. If these comments do not address a section, the Commission may presume that CUB is comfortable with the existing language.

OAR 860-001-0180 – Service in Contested Case and Declaratory Ruling Proceedings

Given the movement towards increased electronic filing procedures and remote work, CUB believes it is reasonable to eliminate the requirement that service be made via physical copies if the information is confidential in nature (OAR 860-001-0180(3)(a)) or if the filing is more than 100 pages (OAR 860-001-0180(3)(b)). The requirements for physical service under OAR 860-001-0180(3)(c)-(d) may be retained.

OAR 860-001-0430 – Petition for Declaratory Ruling

CUB recommends OAR 860-001-0430(3) be altered to include the ability for CUB to intervene as a matter of right under OAR 860-001-0300(1).

OAR 860-001-0720 – Rehearing or Reconsideration

CUB supports the existing language regarding the process for requesting rehearing or reconsideration of a final Commission order. However, CUB notes that no such process is spelled out in the OARs regarding a motion to clarify all or a portion of a final Commission order. CUB recommends adding language to this section indicating that a motion for

clarification be filed within 60 days of a final Commission order and that the portions of a Commission order that a movant seeks clarify on be clearly articulated.

Thank you again for your consideration of these comments. Unfortunately, due to scheduling constraints, CUB will be unable to send a representative to attend the forthcoming July 1, 2021 workshop on this tranche of rules. However, CUB looks forward to continuing to engage in this process and can follow up to answer any questions as needed.

Please let me know if you have any questions or concerns.

Respectfully submitted,

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