

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2253
AR 638

In the Matters of

PUBLIC UTILITY COMMISSION OF
OREGON,

Adoption of Complaint Forms for Complaint
Process Established in AR 638 Wildfire
Mitigation Rulemaking (UM 2253).

and

Rulemaking for Risk-based Wildfire
Protection Plans and Planned Activities
Consistent with Executive Order 20-04
(AR 638).

MEMORANDUM

This memorandum is being issued to (a) discuss the initiation of new docket UM 2253; (b) discuss the continuation of docket AR 638; and (c) set a schedule for both.

First, docket UM 2253 has been initiated in order to establish simplified complaint forms that will aid in ensuring that electric utilities and others can use the new complaint rule developed during the main phase of the AR 638 rulemaking efficiently and expeditiously. AHD informed the Commission of its intention to open this docket at the conclusion of AR 638. A schedule is set out in this proceeding below; in order to help facilitate a productive discussion, AHD will circulate a straw proposal prior to the first written comment dates to which participants may react.

Second, the new complaint process rule, OAR 860-024-0061, was discussed and adopted by the Commission at its Special Public Meeting on August 4, 2022 and is further discussed in the accompanying order issued on September 8, 2022. However, because OAR 860-024-0061 was developed in drafts and workshops throughout the formal rulemaking process, it was not explicitly included in the public rulemaking notice issued by the Commission shortly after the Commission voted to open a formal phase of the rulemaking.

Accordingly, out of an abundance of caution, the Commission will now continue AR 638 in order to issue a new rulemaking notice that explicitly names OAR 860-024-0061 as a potential rule to be adopted. Due to the overlapping nature of these two dockets, we are setting the schedules in both proceedings as laid out below.

Finally, as the Sept. 4 order noted, the Commission also reserved the question of whether and how local ordinances might need to be preempted to allow for tree trimming in emergency situations for a future proceeding. Commission Staff is currently considering that issue and the question of what further proceedings would be beneficial.

AR 638 SCHEDULE

EVENT	DATE ¹
Rulemaking Hearing	November 15, 2022 at 1:30 p.m.
Rulemaking Hearing - Workshop	November 16, 2022 at 1:00 p.m.
Close of Comments	November 17, 2022
Public Meeting Date	November 29, 2022

UM 2253 SCHEDULE

EVENT	DATE ²
First Round of Comments Due	October 27, 2022
AHD-led Workshop	November 7, 2022
Second Round of Comments Due	November 17, 2022
Public Meeting Date	December 13, 2022

If you would like to be added to the UM 2253 service list, please email the Administrative Hearings Division at puc.hearings@puc.oregon.gov.

Dated this 6th day of October, 2022, at Salem, Oregon.



Katharine Mapes
Administrative Law Judge

¹ The filing deadline for all dates in this procedural schedule is 3:00 p.m. on the date of the event.

² The filing deadline for all dates in this procedural schedule is 3:00 p.m. on the date of the event.