

# Senate Bill 219

Sponsored by Senator SMITH DB (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Changes the general powers of the PUC. (Flesch Readability Score: 66.7).

Modifies the general powers of the Public Utility Commission by removing the commission's general power to balance the interests of the utility investor and the consumer in establishing fair and reasonable rates. Specifies that the commission is to protect the interests of the consumer.

## A BILL FOR AN ACT

1  
2 Relating to the Public Utility Commission; amending ORS 756.040.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 756.040 is amended to read:

5 756.040. (1) In addition to the powers and duties now or hereafter transferred to or vested in the  
6 Public Utility Commission, the commission shall represent the customers of any public utility or  
7 telecommunications utility and the public generally in all controversies respecting rates, valuations,  
8 service and all matters of which the commission has jurisdiction. In respect thereof the commission  
9 shall make use of the jurisdiction and powers of the office to protect such customers, and the public  
10 generally, from unjust and unreasonable exactions and practices and to obtain for them adequate  
11 service at fair and reasonable rates. The commission shall [*balance*] **protect** the interests of [*the*  
12 *utility investor and*] the consumer in establishing fair and reasonable rates. Rates are fair and rea-  
13 sonable for the purposes of this subsection if the rates provide adequate revenue both for operating  
14 expenses of the public utility or telecommunications utility and for capital costs of the utility[, *with*  
15 *a return to the equity holder that is:*]

16 [*(a) Commensurate with the return on investments in other enterprises having corresponding risks;*  
17 *and*]

18 [*(b) Sufficient to ensure confidence in the financial integrity of the utility, allowing the utility to*  
19 *maintain its credit and attract capital*].

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

23 (3) The commission may participate in any proceeding before any public officer, commission or  
24 body of the United States or any state for the purpose of representing the public generally and the  
25 customers of the services of any public utility or telecommunications utility operating or providing  
26 service to or within this state.

27 (4) The commission may make joint investigations, hold joint hearings within or without this  
28 state and issue concurrent orders in conjunction or concurrence with any official, board, commission  
29 or agency of any state or of the United States.  
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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.