



SBUA Comment for AR 641 Division 860-001 Rule Updates: Informal Phase

Small Business Utility Advocates (“SBUA”) appreciates the opportunity to participate in this Rulemaking process and, in preparation for the May 7, 2021 meeting, offers these comments on the following rules:

Notice, Records, and Submissions:

Notice of Commission Proceedings 860-001-0030: No comment

Commission Publications 860-001-0040: No comment

Public Records Requests 860-001-0060: No comment

Public Participation 860-001-0200: No comment

Role of ALJ:

Delegation of Authority to Administrative Law Judge (“ALJ”) 860-001-0090: This rule could be clarified regarding and include the measure of reliance a party can place on information provided by an ALJ generally and regarding (1)(g) deciding procedural matters, and (j) certifying questions for consideration and disposition, and (m) taking any other action consistent with ALJ duties, and perhaps especially (m).

Impartiality 860-001-0100: No comment

Appeal to the Commission from Ruling of ALJ 860-001-0110: No comment

Ministerial or Other Issues:

Former Employees 860-001-0330: No comment

Hours of Operation, Location, and Contact Information 860-001-0020: No comment

Late Fees and Penalties 860-001-0050: It should be clear in the rule if there is an ability to seek fee waivers—perhaps this is contemplated in OAR 860-001-000. The process to seek a waiver should not be impracticably onerous.

Applicability and Waiver 860-001-000: See comment for 860-001-0050 above.

Respectfully submitted May 4, 2021

/s/ Diane Henkels, SBUA Counsel diane@utilityadvocates.org