

Senate Bill 81

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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**.

Allows public utility to charge customer different rate for energy if difference arises from optional schedule or tariff that takes into account customer's past energy usage and provides price incentives designed to encourage changes in customer's energy usage.

A BILL FOR AN ACT

1
2 Relating to rates of public utilities; amending ORS 757.310.

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

4 **SECTION 1.** ORS 757.310 is amended to read:

5 757.310. *[(1) Except as provided in ORS 757.315, no public utility or any agent or officer thereof*
6 *shall, directly or indirectly, by any device, charge, demand, collect or receive from any person a greater*
7 *or less compensation for any service rendered or to be rendered by it than:]*

8 *[(a) That prescribed in the public schedules or tariffs then in force or established; or]*

9 *[(b) It charges, demands, collects or receives from any other person for a like and contemporaneous*
10 *service under substantially similar circumstances. A difference in rates or charges based upon a dif-*
11 *ference in classification pursuant to ORS 757.230 shall not constitute a violation of this paragraph. A*
12 *difference in rates or charges for a service provided pursuant to ORS 757.516 shall not constitute a*
13 *violation of this paragraph.]*

14 *[(2) Any public utility violating this section is guilty of unjust discrimination.]*

15 **(1) A public utility may not charge a customer a rate or an amount for a service that is**
16 **different from the rate or amount prescribed in the schedules or tariffs for the public utility.**

17 **(2) A public utility may not charge a customer a rate or an amount for a service that is**
18 **different from the rate or amount the public utility charges any other customer for a like**
19 **and contemporaneous service under substantially similar circumstances.**

20 **(3) A difference in rates or amounts charged does not constitute a violation of subsection**
21 **(2) of this section if the difference is based on:**

22 **(a) Service classification under ORS 757.230;**

23 **(b) Contracts for services under ORS 757.516; or**

24 **(c) An optional schedule or tariff for the provision of energy service that takes into ac-**
25 **count a customer's past energy usage and provides price incentives designed to encourage**
26 **changes in the customer's energy usage that correspond to changes in the cost of providing**
27 **energy.**

28

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.