

Governance Committee Minutes

Date: Wednesday, July 9, 2025

Time: 10:00 AM PT

Members: Melanie Lewis, Alba Vogland, Jaimie Lemke, Kevin Hennessy, Mitch Burghlea, KC Chumachenko, Robbie West, Aaron Nakano, and Matt Barrett.

Non-Members: Josh Thomas

Guests:

1. Announcements and Introductions
 - a. General announcements, recording, roll call/guest sign-in, declaration of quorum
 - b. Review/approval of prior meeting minutes from May 29, 2025.
 - c. Comments from the Governance Committee Chairperson, Andy Crocker – full agenda and appreciation for participants joining the call.
2. Old Business
 - a. Proposed Rule Change – Definition of “Control Over”
 - i. The committee reviewed a proposed amendment to OAR 952-001-0010 to establish a formal definition of “control over” for underground facilities. The proposed language would define “control over” as the operational or administrative authority to provide, or have provided, utility service through underground facilities.
 - ii. The definition would attempt to clarify responsibilities around utility service providers, management of underground facility records, compliance with applicable legal and administrative rules for underground facilities that are active, inactive, or abandoned but still associated with a utility service.
 - iii. It was noted that the proposal would help align Chapter 952 with Public Utility Commission guidance and industry best practices, while clarifying accountability for locating and notification responsibilities.
 - iv. It should also ensure entities with operational expertise remain responsible for underground facility management and OUNC participation requirements and reduce ambiguity regarding ownership versus operational control.
 - v. The group discussed keeping the language broad enough to address a multitude of varying ownership and operational arrangements while maintaining clear responsibility for locate and notification requirements.
3. New Business
 - a. Notification requirements associated with TC Energy/Williams activities.
 - i. A summary of the issue was provided to the group, with the discussion focusing on whether the proposal falls within the OUNC mission and statutory scope and if the notification center should facilitate this type of activity.

- ii. There were concerns raised that accommodating the proposal could create expectations for additional services outside the center's intended role. These include contractual or operational impacts if the issue is addressed through OUNC rules.
- iii. It was also noted that any requirements that OUNC put forth might not be enforceable by them, and discussions would have to be had with the entity responsible for enforcing a decision. This could mean that the issue would be more appropriately addressed at the county or city level rather than statewide.
- iv. It was agreed that the group would continue to analyze legal, operational, and policy impacts of the TC Energy/Williams notification proposal.

4. For the Good of the Order

5. Next Meeting – TBD

Motion to adjourn by Robbie and seconded by Aaron. The motion was approved by unanimous consent.

Meeting adjourned at 11:50 am.