

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 UW 120

4 In the Matter of

5 CROOKED RIVER RANCH WATER
6 COMPANY

7 Request for Rate increase resulting in total
8 annual revenues of \$868,453.

STAFF'S MOTION IN OPPOSITION TO
EXTENTION OF TIME

9 **INTRODUCTION**

10 On June 13, 2008, Administrative Law Judge Patrick Power set the schedule in this
11 proceeding. On August 4, 2008, Public Utility Commission of Oregon Staff ("Staff") filed its
12 testimony consistent with the established schedule. On August 19, 2008, the Crooked River
13 Ranch Water Company ("Crooked River") filed a motion requesting a four week extension of
14 time to submit its testimony ("Motion"), which is due on August 25, 2008. For the reasons
15 detailed below, Staff opposes Crooked River's Motion.

16 **DISCUSSION**

17 Crooked River has been aware of the established schedule since as early as June 13,
18 2008. Furthermore, the testimony in this case arises out of the reopening of the rate case for
19 which Crooked River has been on notice of the issues for a substantial period of time. Crooked
20 River's Motion also comes fifteen days after Staff filed its testimony on time and only six days
21 before Crooked River's testimony is due.

22 Crooked River's Motion argues its request is reasonable in light of the fact that Staff had
23 seven weeks to prepare its testimony. Crooked River's argument is incorrect and does not take
24 into account that the seven weeks is provided to allow Staff to complete discovery to create and
25 support its case. In fact, and as outlined in Staff's timely filed testimony, Staff's investigation
26

1 and preparation of testimony was severely hampered by Crooked River's lack of, and untimely,
2 data responses. *See* Staff/200, Dougherty/11-14.

3 Crooked River knew the testimony schedule and only requested additional time six days
4 before its testimony is due. Furthermore, the issues in the testimony are not all new, nor should
5 they be surprising. Most importantly, Crooked River continues its practice of being
6 unresponsive and untimely regarding its data responses. Crooked River should not get additional
7 time to rebut Staff's testimony when Staff was already severely disadvantaged due to Crooked
8 River's lack of discovery responsiveness.

9 CONCLUSION

10 For the foregoing reasons, Staff respectfully requests that Crooked River's Motion be
11 denied.

12 DATED this 25th day of August 2008.

13 Respectfully submitted,

14 HARDY MYERS
15 Attorney General

16
17 s/Mike T. Weirich for Jason W. Jones
18 Jason W. Jones, #00059
19 Assistant Attorney General
20 Of Attorneys for the Public Utility Commission
21 of Oregon
22
23
24
25
26

1 **CERTIFICATE OF SERVICE**

2
3 I certify that on August 25, 2008, I served the foregoing Motion upon all parties of record
4 in this proceeding by delivering a copy by electronic mail and by mailing a true and exact copy
5 by postage prepaid first class mail or by hand delivery/shuttle mail.

6 STEVEN COOK
7 PO BOX 1111
8 TERREBONNE OR 97760
9 sewfab4u@hotmail.com

10 CHARLES G NICHOLS
11 PO BOX 1594
12 REDMOND OR 97756
13 charlien@blazerind.com

14 CRAIG SOULE
15 11953 SW HORNY HOLLOW
16 TERREBONNE OR 97760
17 cby_64@yahoo.com

18 **CROOKED RIVER RANCH WATER CO**
19 BRIAN ELLIOTT
20 PRESIDENT, BOARD OF DIRECTORS
21 PMP 313 - 1604 S HWY 97 #2
22 REDMOND OR 97756

23 **CROOKED RIVER RANCH WATER CO**
24 JAMES R ROOKS
25 GENERAL MANAGER
26 PO BOX 2319
27 TERREBONNE OR 97760
28 jr@crrwc.com

GLENN SITES REEDER & GASSNER, LLP
TIMOTHY GASSNER
205 SE 5TH ST
MADRAS OR 97741
timgassner@hotmail.com

HARRANG LONG GARY RUDNICK PC
JONA MAUKONEN
1001 SW FIFTH AVE
16TH FLOOR
PORTLAND OR 97204
jona.maukonen@harrang.com

C. ROBERT STERINGER
1001 SW FIFTH AVENUE
16TH FLOOR
PORTLAND OR 97204
bob.steringer@harrang.com

PUBLIC UTILITY COMMISSION OF OREGON
MICHAEL DOUGHERTY
550 CAPITOL ST NE - STE 215
SALEM OR 97301
michael.dougherty@state.or.us

19
20 

21 Neoma Lane
22 Legal Secretary
23 Department of Justice
24 Regulated Utility & Business Section