

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.

9 STAFF MOTION TO COMPEL

10 **INTRODUCTION**

11 On May 4, 2007, the Public Utility Commission of Oregon Staff (Staff) served data
12 requests 1-58 on Crooked River Ranch Water Company (CRRWC). On May 10, 2007, Staff
13 served data requests 59-68 on CRRWC. On May 29, 2007, Staff received CRRWC's motion for
14 a protective order in Docket No. WJ 8. On May 29, 2007, Staff received responses, or partial
15 responses to some, but not all, of the data requests 1-68.¹

16 Pursuant to OAR 860-014-0070(3), Staff files this motion to compel production and
17 respectfully requests a ruling or order requiring CRRWC to provide full and complete answers.
18 Because the time for these responses has already passed, Staff also requests that CRRWC be
19 ordered to provide these full and complete responses in a timely fashion.

20 Consistent with OAR 860-014-0070(3), Staff has conferred with counsel for CRRWC.
21 The parties are unable to informally resolve this dispute.

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25 ¹ Consistent with OAR 860-014-0070(5), Staff's data requests 1-68 are included as Attachment A. Because
26 CRRWC has claimed that the data requests are burdensome, Staff has included the entire sets of data requests.
Staff, however, has highlighted the disputed data requests within this motion. Likewise, Staff has also included the
CRRWC entire answer (not including attachments) but has highlighted the disputed data responses in its motion.
These answers have been marked as Attachment B.

DISCUSSION

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2 **1. CRRWC did not respond to data requests 14, 20, 36, and 50.**

3 Data Request 14

4 This question requests a count of all meter sizes for each class of customers that are
5 metered and listed in a table included as part of data request 12. CRRWC did not provide any
6 reply or documentation. The meter sizes and customers counts are relevant to rate design and
7 CRRWC should be compelled to provide this information.

8 Data Request 20

9 This question requests an explanation for the \$9,000 adjustment to pension and benefit
10 costs. CRRWC did not provide any reply or documentation. The appropriate level of pension
11 and benefit expenses is a relevant question and CRRWC should be compelled to provide this
12 information.

13 Data Request 36

14 This question requests the policy and premium sheets for all vehicles insured by the
15 Company. The question also asks whether all the vehicles are owned by the CRRWC and for an
16 explanation. CRRWC replied to “See enclosed,” but no enclosure was included. The insurance
17 and premium sheets, along with ownership of the vehicles, are relevant to establishing expenses
18 and CRRWC should be compelled to provide this information.

19 Data Request 50

20 This question requests an explanation and documentation of the Com Link contract that
21 was included on page 16 of the application under current rates for special contracts. CRRWC
22 did not include any reply or any documentation. This information is relevant, or likely to lead to
23 the discovery of relevant information, because the contract results in a monthly contract cost of
24 \$500. Therefore, CRRWC should be compelled to provide this information.

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1 **2. The Company declined to provide adequate responses to data requests 3, 15, 28,**
2 **30, 40, 47, 49, 51, 52, 53, 60, 67, and 68.**

3 Data Request 3

4 This question requests explanations regarding Special Contract/Agreement revenue listed
5 in Account 468. The revenue is based on an \$8 per month, per customer surcharge for capital
6 improvements. CRRWC answered subpart (a). CRRWC’s response states that: “The Board has
7 requested that disclosure of prior activity and documentation in this account be provided by other
8 means than a response to this DR. Perhaps an on-site inspection of this information is more
9 appropriate.” CRRWC’s response is inadequate because it did not respond to subparts (b), (c),
10 and (d). These are relevant questions that will verify additions to rate base and allow for the
11 reconciliation of funds. CRRWC should be compelled to provide this information.

12 Data Request 15

13 This question requested 2006 W-2 forms for all employees of CRRWC. While CRRWC
14 did provide the forms, the names and social security numbers were redacted. Staff understands
15 confidentiality concerns and does not need the social security numbers. However, Staff does
16 need the names so the actual wage per employee can be reviewed. CRRWC should be
17 compelled to provide copies of the 2006 W-2 forms for all employees of CRRWC with the
18 names not redacted.

19 Data Request 28

20 This question requests invoices for Account 632. CRRWC did not provide any invoices.
21 The invoices are relevant to view trends in expenses and ensure test year expenses are not
22 extraordinary. The invoices are also relevant to verify utility charges and identify rate case
23 expenses. CRRWC should be compelled to provide these invoices.

24 Data Request 30

25 This question requests invoices for Account 635 for 2004, 2005, and 2006. CRRWC did
26 not provide any invoices for 2004 or 2005. These invoices are relevant to trend expenses and

1 ensure the test year is not atypical. They are also relevant to verify utility charges and identify
2 any rate case expenses. CRRWC should be compelled to provide these invoices.

3 Data Request 40

4 This question requests invoices concerning Account 666 and the rate application. While
5 CRRWC states an amount, it does not provide invoices. The invoices are relevant to determine
6 the actual costs and to ensure that there is no duplication of costs in other accounts. These
7 invoices are relevant and CRRWC should be compelled to provide them.

8 Data Request 47

9 The question requests information regarding vehicles purchased by the Company and
10 sold to James Rooks, including CRRWC's purchase price, sales price to Mr. Rooks,
11 documentation of the sales contracts, copies of all payment checks to CRRWC from Mr. Rooks,
12 and documentation that demonstrates that all the payments for vehicles by Mr. Rooks have been
13 properly recorded in CRRWC revenue. CRRWC's response stated that "this transaction took
14 place prior to 11/20/06 and does not concern the PUC." Mr. Rooks is an employee (general
15 manager) and a Director (according to CRRWC's application) of CRRWC and a transaction
16 between CRRWC and an employee of CRRWC is relevant for revenue purposes (i.e. payments)
17 and to ensure proper adherence to the Commission's transfer pricing policy. CRRWC should be
18 compelled to provide this information.

19 Data Request 49

20 This question requests information concerning contracts between CRRWC and Mr.
21 Rooks related to maintenance of CRRWC equipment. CRRWC's response stated, "Mr. Rooks
22 charges \$500 per week for all repairs. This is a flat fee. The PUC will not be involved in Mr.
23 Rooks personal business." A transaction that involves CRRWC expenses or services to a
24 CRRWC employee and Director, in addition to wages, is relevant and CRRWC should be
25 compelled to provide this information.

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1 Data Requests 51, 52, and 53

2 These questions request various information concerning mainline extension projects.
3 CRRWC's response stated that, "these improvements took place before 11/20/06, and have no
4 effect on '07 rate case." Mainline extension projects related to plant and rate base and are
5 relevant because these costs could be included in customer rates. CRRWC should be compelled
6 to produce this information.

7 Data Request 60

8 This question requests information about new construction projects in 2005, 2006, 2007.
9 CRRWC's response stated that "the 2005-06 construction took place prior to PUC's jurisdiction
10 of 11/20/06. Therefore, no explanation is necessary or will be forthcoming. Any future projects
11 will be described at the time the project is estimated to take place. There is no way of foreseeing
12 costs of materials, labor, or materials on a project planned years in advance, as the prices change
13 daily. None of the past or future projects were even envisioned by prior management, therefore,
14 not mentioned in the 20-year plan. The 20-year plan was a poorly thought out document and in
15 many cases completely inaccurate. Funding for future projects will come from various sources
16 at the time of the project." Construction projects for 2005, 2006, and 2007 relate to plant and
17 rate base are relevant because these costs could be included in customer rates. CRRWC should
18 be compelled to produce this information.

19 Data Request 67

20 This question requests a copy of CRRWC's current by-laws and by-laws that were in
21 effect in December 2005. CRRWC's response states that, "CRRWC was not under PUC
22 authority in 2005, therefore, this is outside the scope of authority. Current by-laws are being
23 finalized by legal counsel." These documents are relevant or likely to lead to relevant
24 information related to organization and organizational changes. CRRWC should be compelled
25 to produce this information.

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1 Data Request 68

2 This question requested copies of CRRWC's IRS 501(c)(12) filings for the years 2002
3 through 2006. CRRWC only provided copies for the years 2005 and 2006. The requested copies
4 of the filings for 2002 through 2004 are relevant for determining capitalized labor rates, loan
5 payments, and outstanding loans. CRRWC should be compelled to produce this information.

6 CONCLUSION

7 For the foregoing reasons, Staff restfully requests that CRRWC be compelled to produce
8 the information discussed herein.

9 DATED this 7th day of June 2007.

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Respectfully submitted,

HARDY MYERS
Attorney General

s/ Jason W. Jones
Jason W. Jones, #00059
Assistant Attorney General
Of Attorneys for Public Utility Commission of
Oregon Staff



Oregon

Theodore R. Kulongoski, Governor

Public Utility Commission

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Consumer Services

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Local: 503-378-6600

Administrative Services

503-373-7394

May 4, 2007

CROOKED RIVER RANCH WATER COMPANY
PO BOX 2319
TERREBONNE, OREGON 97760

RE:	<u>Docket No.</u>	<u>Staff Request No.</u>	<u>Response Due By</u>
	UW 120	DR 1 - 58	May 21, 2007

Please provide responses to the following request for information. Contact the undersigned before the response due date noted above if the request is unclear or if you need more time.

1. Please provide the Sales and Receivables Report for years 2004 and 2005.
2. Concerning, the Sales and Receivables Report:
 - a. For each month in 2006, please explain the receipts for parts and labor. Who is the water company providing these services to? Are current contracts in place? Please explain.
 - b. For each month in 2006, please explain the "Re-Est" charges.
 - c. For each month in 2006, please explain the adjustments.
 - d. For each month in 2006, please explain the "Proces" charges.
 - e. Do water receipts include funds received from water haulers? If not, where is this revenue recorded.
3. Please explain the Special Contract/Agreement Revenue listed in Account 468.
 - a. Is this the \$8.00 per month assessment? Please explain.
 - b. Please provide the beginning and ending balances for each year the assessment has been in place?
 - c. Please provide bank account records that document the assessment fee transactions.
 - d. For each expense/project paid from the assessment fee, please provide:
 - i. A description of the expenditures;
 - ii. Invoices, billings, and other documentation concerning the expense; and
 - iii. The corresponding section number in CRRWC's 20-year plan that describes the improvement.

Attachment A
Page 1 of 12



4. Please explain the basis for the \$204,050 adjustment over test year revenue.
 - a. Is it based on increases in customer count?
 - b. Is it based on any previous net losses?

5. Please provide a breakdown of all hook-up fees assessed in years 2004, 2005, and 2006. In the breakdown, please provide:
 - a. The fee of each hook-up.
 - b. The labor cost and labor hours for each hook-up.
 - c. The parts and associated costs for each hook-up.
 - d. The accounts the hook-up revenue and expenses were recorded.

6. Please explain the amounts and sources of miscellaneous revenues for year 2004, 2005, and 2006.

7. Please provide the Company's financial statements that were prepared by a professional accounting firm for the fiscal years 2004, 2005, and 2006.

8. Please explain the cell tower revenue.
 - a. When was the cell tower installed?
 - b. Please provide the appropriate Board minutes documenting Board approval of the cell tower.
 - c. What was 2004 and 2005 rental revenue for the cell tower?
 - d. What is the term of the rental?
 - e. Please provide a copy of the rental contract.

9. Is any other utility property being leased to directors, officers, employees, or third party entities? If so:
 - a. Please provide any agreements concerning rental of water utility property to directors, officers, employees or third parties.
 - b. In what account is this revenue, if any, being recorded?
 - c. Please explain, in detail, any in-kind agreements and/or exchanges concerning water utility property.

10. Please provide the current status of all loans listed on page 9. Please include:

- a. The loan statement that includes the loan amount, the loan dates, and interest rates.
- b. The loan amortization schedule.
- c. The current balance of all loans.
- d. Equipment listed in the 2007 Federal Book Depreciation Schedule that was purchased by the loans.
- e. An explanation of the construction loan since the CRRWC Director ballot states "Established a pay-off plan to eliminate the construction loan for the officer many years in advance, saving customers thousands of dollars in interest."
- f. An explanation of all loans since the CRRWC Director ballot states, "All this has been done without borrowing any money..."
- g. An explanation of all loans since the CRRWC Director ballot states, "One of the major goals for this company is to become debt free and to maintain that status. The goal will be accomplished in the next twenty-four month."

11. In the following table format, please provide the following customer information. Please provide separate tables for each class of customer (residential, water haulers, commercial, other)

	Beginning Count	Ending Count (project for 2007)	Average Annual Customers
2004			
2005			
2006			
2007			

12. In the following table format, please provide the following monthly usage information from January 2004 to date. Please provide system reports that substantiate the Company's numbers.

	Residential	Water Haulers	Commercial	Other (as applicable)	Total
January 2004					
February 2004					
Etc.					
Total					

13. Please explain the method in which water haulers are billed. Is it consumption plus the base rate, or is there another mechanism? Please explain.
14. For each class of customers that are listed in the above table that are metered, please provide a count of all meter sizes (i. e., 3/4", 1", 2", etc.).
15. Please provide 2006 W-2 forms for all employees of CRRWC.
16. Will the proposed position (page 8 of the application) replace the current temporary and part-time positions listed on page 7 of the application? If not, please explain why these two part-time positions will still be required.
17. Please provide the current position descriptions of each employee. Please provide timesheets for January through April 2007 for each employee.
18. Please provide all benefit term sheets that list the benefit plan and costs including co-pays, deductibles, and effective dates. Please include information on any employee payments towards the premiums.
19. Please provide the terms and accounting for any pension plan that the Company has in place. Please include employee contribution levels, employer contribution levels, and type of plan.
20. Please explain the basis for the \$9,000 adjustment to pension and benefit costs.
21. Concerning Account 611, please provide costs for 2004, 2005, and 2006 and invoices for 2006.

22. Concerning Account 615, please provide all 2006 and 2007 to-date power invoices (bills). What company provides power to CRRWC?
23. Concerning Account 619, please provide costs for 2004, 2005, and 2006 and invoices for 2006.
24. Concerning Account 619.1, please provide the following information:
 - a. Pitney-Bowes (or other postal meter) invoices (lease and postage charges) for 2004 through 2006.
 - b. If a Pitney-Bowes machine is not used, please provide:
 - i. The frequency of billings to customers (monthly, quarterly, etc.);
 - ii. The billing format (postcards, stamped envelopes);
 - iii. The rate for each customer billing (i. e., \$0.39, other);and
 - iv. The average number of monthly bills (power, etc.) mailed by the Company.
25. Please provide all monetary and in-kind donations made in 2006 and 2007. In-kind donations would include material, labor, and parts for the fire station road work, donations of 30,000 gallon tanks, and other projects that donations were made.
26. Concerning Account 620, please provide costs for 2004, 2005, and 2006 and invoices for 2006.
27. Concerning Account 621, please provide costs for 2004, 2005, and 2006 and invoices for 2006.
28. Concerning Account 632, please provide:
 - a. Invoices for 2004, 2005, and 2006.
 - b. Please explain the basis for the proposed adjustment.
29. Concerning Account 633, please provide invoices for 2004, 2005, and 2006. Please ensure all invoices specifically state the case or related matter.
30. Concerning Account 635, please provide:
 - a. Invoices for 2004, 2005, and 2006.

- b. Please provide the schedule testing for 2007, and listed cost for each test.
31. Concerning Account 636, please provide:
 - a. Costs and invoices for 2004, 2005, and 2006.
 - b. An explanation of services including why the services could not be performed by water company personnel.
 32. Concerning Account 642, please provide costs for 2004, 2005, and 2006 and invoices for 2006.
 33. Concerning Account 643, please provide costs for 2004, 2005, and 2006 and invoices for 2006.
 34. Concerning Account 648, please provide costs for 2004, 2005, and 2006 and invoices for 2006. Please explain and provide documentation for the adjustment.
 35. Concerning Account 650, please provide costs for 2004, 2005, and 2006 and invoices (fuel, maintenance, etc.) for 2006.
 36. Concerning Account 656, please provide the policies and premium sheets for all vehicles insured by the Company. Are all these vehicles owned by the Company? Please explain.
 37. Concerning Account 657, please provide the policies and premium sheets for all liability and property insurance.
 38. Concerning Account 658, please provide the policies and premium sheets for all workers' compensation insurance. Please explain and provide documentation for the adjustment.
 39. Concerning Account 660, please provide costs for 2004, 2005, and 2006 and invoices for 2006. Please explain and provide documentation for the adjustment.
 40. Concerning Account 666, please provide all invoices concerning the rate application.
 41. Concerning Account 672, please provide invoices and applicable documentation (engineering plans, etc.) for the adjusted amount.

42. Concerning Account 673, please provide costs for 2004, 2005, and 2006 and invoices for 2006.
43. Concerning Account 675, please provide costs for 2004, 2005, and 2006 and invoices for 2006. Please explain and provide documentation for the adjustment.
44. Concerning plant, please explain why all plant listed in the 2007 Federal Book Depreciation Schedule that was not purchased through the loans listed in the response to Staff's data request No. 10, is not properly categorized as CIAC since CRRWC is a Nonprofit Corporation, Mutual Benefit with Members and no investor equity was used to purchase this equipment.
45. Please explain why CRRWC would apply a return on equity to plant that was not purchased from loans since the funds for all plant was contributed by members of the Nonprofit Corporation, Mutual Benefit with Members.
46. Concerning vehicles and construction equipment (backhoes, dump truck, excavators, etc.), please categorize using the following table format. For each vehicle that is owned by the Company, please provide a copy of the title.

	Company Owned	JR Rooks Owned
Example: 1947 Pick-up	X	

For any equipment owned by JR Rooks, but used for Company purposes, please provide the vehicle log that shows total equipment hours and hours used in Company operations.

47. For any vehicles purchased by the Company and sold to JR Rooks, please provide:
 - a. The purchase price by the Company (include loan statements for any vehicles purchased through a loan that include term of the loan, interest rate applied, and monthly payments);
 - b. The sale price to JR Rooks; and
 - c. The sales contracts between the Company and JR Rooks that indicate purchase price, payment terms (monthly, etc.), payment amounts, interest charge, and duration of loan.

- d. Copies of all payment checks to the Company from JR Rooks that indicate the terms of the loan agreements have been made.
 - e. Proper documentation that demonstrates that all payments for vehicles by JR Rooks has been properly recorded in Company revenue.
48. Concerning any contract between the Company and JR Rooks to store Company equipment, please provide:
- a. Monthly lease payments.
 - b. List of equipment stored by JR Rooks.
 - c. Copies of 2005 and 2006 property tax statements concerning the structure that equipment is being stored.
 - d. A copy of the insurance premium for the structure that includes a "contents coverage" clause to show that equipment stored is properly insured for damage and theft. Is the insurance for the structure paid by the Company or JR Rooks? Please explain.
49. Concerning any contract between the Company and JR Rooks to maintenance Company equipment, please provide:
- a. Monthly maintenance payments.
 - b. 2006 and 2007 documentation of maintenance for each vehicle/equipment owned by the Company.
 - c. Does the maintenance contract include costs associated with maintenance of equipment owned by JR Rooks, but used by the Company? Please explain.
 - d. Please explain why there is a monthly maintenance contract with JR Rooks, since JR Rooks is an employee of the Company and has the capability to perform the required maintenance as an employee.
50. Please explain and provide documentation on the Com Link contract.
51. For each improvement listed on page 22 of the application, please provide information in the following table. Additionally, please provide plats for each construction area.

Project (from application)	Construction Cost (from application)	Number of Potential Customers	Actual Number of Customers connected to the Construction	Cost per Customer
Peninsula Drive	\$193,740			
Chipmunk	\$39,750			
Steelhead	\$61,147			
Golden Mantel	\$37,404			
Quail-Steelhead	\$31,485			
Canary	\$202,151			
Hummingbird	\$12,900			

52. For each construction project listed above, please provide a cost breakdown (parts, labor, equipment, contracts, etc.) for each project. Please provide all supporting documentation (invoices, etc.) for the projects.
53. For each customer connected to the projects, please provide copies of payments received from the customers.
54. Concerning the additional line extensions, please provide the estimated labor time and costs included in the project. Will these extensions be paid from the assessment fee or charged to connecting customers?
55. Concerning the Radio Read Meter Conversion, please provide the estimated annual savings in personnel costs. Included in the estimate should be an estimation of average time to read meters on a monthly basis.
56. Please explain the cost basis of the Connection Charge for new service of \$1,750.
57. Please explain if the Company charges this charge once for the initial connection to a residential/commercial structure or if the Company assesses this fee every time a new customer moves into an existing structure that previously had water service.
58. Please explain the \$27 return check charge. What is the current bank charge to CRRWC for a returned check?

CRRWC
Data Requests 1 - 58
May 4, 2007
Page 10

Please provide an original and one complete copy of your response to the attention of Vikie Bailey-Goggins, PO Box 2148 or 550 Capitol St NE Ste 215, Salem, OR 97308-2148; (puc.datarequests@state.or.us) and one complete copy to the attention of counsel for PUC Staff, Jason W. Jones, Department of Justice, 1162 Court St NE, Salem, OR 97301-4096 (jason.w.jones@state.or.us).

Michael Dougherty
Program Manager
Corporate Analysis and
Water Regulation
(503) 378-3623

cc: Service List



Oregon

Theodore R. Kulongoski, Governor

Public Utility Commission

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Administrative Services

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May 10, 2007

CROOKED RIVER RANCH WATER COMPANY
PO BOX 2319
TERREBONNE, OREGON 97760

RE:	<u>Docket No.</u>	<u>Staff Request No.</u>	<u>Response Due By</u>
	UW 120	DR 59 - 68	May 25, 2007

Please provide responses to the following request for information. Contact the undersigned before the response due date noted above if the request is unclear or if you need more time.

59. According to Crooked River Ranch Water Company's¹ Explanation of Charges, the Company lists a meter charge for 1" (\$425) and 5/8" (\$235) meter assemblies. Are there any circumstances where customers do not pay for the meter? Please explain

60. Concerning the 2005, 2006, and 2007 new construction, please provide the following:

- A description of the project;
- The reference in the 20-year master plan concerning the project;
- A breakdown of costs (company labor, materials, contract services, licenses, etc.); and
- The source of funds (assessment, general funds, etc.).


61. Please provide the following information concerning the four Land items listed in CRRWC's plant (Land - Well #4, New Office/Shop Land, Land (March 2001), and Land, Phase 16, Lot 45):

¹ In Order No. 06-642, dated December 20, 2006, the Commission asserted jurisdiction over CRRWC. Although the Company refers to itself as a cooperative, the Order was clear on the status of CRRWC and stated:

Furthermore, because jurisdiction presumptively attached at that time, CRRWC became a regulated utility subject to laws administered by the Commission. Those laws require, among other things, that a utility obtain Commission approval prior to the disposal of utility property. See ORS 757.480. Contrary to CRRWC's arguments, the dissolution, transfer, and reorganization of a water company's assets requires approval under this statute. Having failed to obtain that approval, CRRWC's efforts to reorganize as a cooperative under ORS Chapter 62 are without legal effect.

- a. Jefferson County Tax Records that include legal comments concerning ownership transfer; and
 - b. Title documents for each piece of land.
62. Please provide a description of the Machinery & Equipment item listed as "Power Valve Exec & Too."
63. Please provide a copy of the Company's Capitalization Policy. Does CRRWC have a monetary threshold that distinguishes between expense and capital? Please explain.
64. Please provide a copy of the Company's current Backflow Policy.
65. Does the Company perform backflow testing? If so, is it an opt-out or opt-in program? Please explain.
66. If the Company performs backflow testing, what were the costs and revenues for the program in 2004 through 2006?
67. Please provide a copy of the Company's current By-laws and By-laws that were in effect in December 2005.
68. Please provide copies of the Company's IRS 501(c)(12) filings for the years 2002 through 2006.

Please provide an original and one complete copy of your response to the attention of Vikie Bailey-Goggins, PO Box 2148 or 550 Capitol St NE Ste 215, Salem, OR 97308-2148; (puc.datarequests@state.or.us) and one complete copy to the attention of counsel for PUC Staff, Jason W. Jones, Department of Justice, 1162 Court St NE, Salem, OR 97301-4096 (jason.w.jones@state.or.us).


Michael Dougherty
Program Manager
Corporate Analysis and
Water Regulation
(503) 378-3623

cc: Service List

MAY 29 2007

PUC
Utility Program

RESPONSE FROM - CROOKED RIVER RANCH WATER
PO BOX 2319, TERREBONNE, OREGON 97760

RE:	<u>Docket No.</u>	<u>Staff Request No.</u>	<u>Response Due By</u>
	UW 120	DR 1 - 58	May 21, 2007

Please provide responses to the following request for information. Contact the undersigned before the response due date noted above if the request is unclear or if you need more time.

1. Please provide the Sales and Receivables Report for years 2004 and 2005. -
ANSWER - ENCLOSED.

2. Concerning, the Sales and Receivables Report:

a. For each month in 2006, please explain the receipts for parts and labor. -
ANSWER - NEW METER, RE SETTER, PEX TUBING, PIG TAIL, AND METER BOX, THE COST WAS \$220.00 UNTIL 07.06 WHEN ANOTHER PART (PEX TUBING) WAS ADDED CHANGING THE PRICE TO \$220.00. LABOR PLEASE SEE ANSWER TO 5. b.

Who is the water company providing these services to? **ANSWER - OUR CUSTOMERS & MEMBERS.** Are current contracts in place? - **ANSWER - ONLY CONTRACTS WE HAVE IS THE MEMBERSHIP APPLICATION.** Please explain.

b. For each month in 2006, please explain the "Re-Est" service" charges. -
ANSWER - "Re-Est" = "RE-ESTABLISH SERVICE" DISCONNECT & RECONNECT - RE-ESTABLISHMENT OF SERVICE.

c. For each month in 2006, please explain the adjustments. **ANSWER - CHANGES TO ACCOUNTS AS NEEDED - EXAMPLE - WHEN WE HAVE ESTIMATED DUE TO WEATHER WE THEN ADJUST THE ACCOUNTS ACCORDINGLY - ANOTHER EXAMPLE IS WHEN SOMEONE SELLS PROPERTY WE ADJUST CHANGES, ETC.**

d. For each month in 2006, please explain the "Proces" charges. - **ANSWER - THIS IS A CHARGE FOR "PROCES" = "PROCESSING FEE" THAT IS CHARGED AFTER NUMEROUS ATTEMPTS (LETTERS) HAVE BEEN SENT TO DELINQUENT CUSTOMERS. A \$25.00 ADMINISTRATIVE FEE IS CHARGED TO ACCOUNTS IN WHICH THE COLLECTION PROCESS IS INITIATED. THIS IS TO COVER THE TRACKING OF THE ACCOUNT AND THE PAPERWORK INVOLVED IN EACH CASE.**

RESPONSE FROM - CROOKED RIVER RANCH WATER
PO BOX 2319, TERREBONNE, OREGON 97760

- e. Do water receipts include funds received from water haulers? If not, where is this revenue recorded. - **ANSWER - ALL WATER HAULERS REVENUE IS RECORDED WITH ALL RECEIPTS, THEY ARE BILLED THE SAME AS ALL CUSTOMERS.**
3. Please explain the Special Contract/Agreement Revenue listed in Account 468.
- a. Is this the \$8.00 per month assessment? Please explain.
- b. Please provide the beginning and ending balances for each year the assessment has been in place?
- c. Please provide bank account records that document the assessment fee transactions.
- d. For each expense/project paid from the assessment fee, please provide:
- A description of the expenditures;
 - Invoices, billings, and other documentation concerning the expense; and
 - The corresponding section number in CRRWC's 20-year plan that describes the improvement.
4. Please explain the basis for the \$204,050 adjustment over test year revenue.
- a. Is it based on increases in customer count?
- b. Is it based on any previous net losses?
5. Please provide a breakdown of all hook-up fees assessed in years 2004, 2005, and 2006. In the breakdown, please provide:
- a. The fee of each hook-up. - **ANSWER - \$1755**
- b. The labor cost and labor hours for each hook-up. - **ANSWER - This varies according to the lot condition. It may take an hour, or several hours if rock has to be hammered.**
- c. The parts and associated costs for each hook-up. - **ANSWER - Varies based on the size of the hook-up.**

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- d. The accounts the hook-up revenue and expenses were recorded. -
ANSWER - This info is not readily available at this time. We would have to go through each account to determine when they paid the hook-up charge.
6. Please explain the amounts and sources of miscellaneous revenues for year 2004, 2005, and 2006.
7. Please provide the Company's financial statements that were prepared by a professional accounting firm for the fiscal years 2004, 2005, and 2006.
8. Please explain the cell tower revenue.-**NOTE: This is not a "cell" tower. The 700,000 gallon water standpipe has antenna's on top, and this is the space that has been leased.**
- a. When was the cell tower installed? - **ANSWER - T-Mobile contract signed on 2/9/2000; Webformix (internet) contract signed 11/1/04.**
- b. Please provide the appropriate Board minutes documenting Board approval of the cell tower. - **ANSWER - N/A**
- c. What was 2004 and 2005 rental revenue for the cell tower?
- d. What is the term of the rental? - **ANSWER - T-Mobile: \$500 per month + additional 15% during 2nd five year term. Webformix: Contract for \$100 per month, however, there have been no payments have been received. Instead, the company received internet service in exchange.**
- e. Please provide a copy of the rental contract. -**ANSWER: Attached**
9. Is any other utility property being leased to directors, officers, employees, or third party entities? If so:
- a. Please provide any agreements concerning rental of water utility property to directors, officers, employees or third parties.
- b. In what account is this revenue, if any, being recorded?
- c. Please explain, in detail, any in-kind agreements and/or exchanges concerning water utility property. - **ANSWER - There is no utility property being leased, other than that identified in #8.**

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10. Please provide the current status of all loans listed on page 9. Please include:

- a. The loan statement that includes the loan amount, the loan dates, and interest rates. - **ANSWER - There is a loan that was taken out 8 or 9 years ago to build the water company office building. This was done prior to the current board or management. The CRRWC has been paying an extra \$1000 per month in order to lessen the balloon payment that is coming due in 2008.**
- b. The loan amortization schedule.
- c. The current balance of all loans.
- d. Equipment listed in the 2007 Federal Book Depreciation Schedule that was purchased by the loans.
- e. An explanation of the construction loan since the CRRWC Director ballot states "Established a pay-off plan to eliminate the construction loan for the officer many years in advance, saving customers thousands of dollars in interest." - **ANSWER - WE ARE WORKING TOWARDS THE BUILDING BEING PAID OFF AS SOON AS POSSIBLE SO AS NOT TO TAKE OUT ANOTHER 10% COMMERCIAL LOAN.**
- f. An explanation of all loans since the CRRWC Director ballot states, "All this has been done without borrowing any money...". - **ANSWER - NO LOANS WERE TAKEN OUT.**
- g. An explanation of all loans since the CRRWC Director ballot states, "One of the major goals for this company is to become debt free and to maintain that status. The goal will be accomplished in the next twenty-four month." - **ANSWER - FOR ALL LOANS TO BE PAID OFF AND THE COMPANY BE DEBT FREE.**

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11. In the following table format, please provide the following customer information. Please provide separate tables for each class of customer (residential, water haulers, commercial, other)

	Beginning Count	Ending Count (project for 2007)	Average Annual Customers
2004	1396	1442	1413
2005	1442	1482	1460
2006	1482	1546	1488
2007	1546	1585 (projected)	

12. In the following table format, please provide the following monthly usage information from January 2004 to date. Please provide system reports that substantiate the Company's numbers.

	Residential	Water Haulers	Commercial	Other (as applicable)	Total
01/04	1379	19	0	0	1398
02/04	1383	19	0	0	1402
03/04	1385	19	0	0	1404
04/04	1391	19	0	0	1410
05/04	1400	19	0	0	1419
06/04	1412	17	0	0	1429
07/04	1417	17	0	0	1434
08/04	1432	18	0	0	1450
09/04	1433	15	0	0	1448
10/04	1437	15	0	0	1452
11/04	1441	14	0	0	1455
12/04	1442	13	0	0	1455
Etc.	0	0	0	0	0
Total	16952	204	0	0	17158

13. Please explain the method in which water haulers are billed. Is it consumption plus the base rate, or is there another mechanism? Please explain. – **ANSWER – BILLED SAME AS ALL OTHER WATER USERS.**

14. For each class of customers that are listed in the above table that are metered, please provide a count of all meter sizes (i. e., 3/4", 1", 2", etc.).

15. Please provide 2006 W-2 forms for all employees of CRRWC. – **ANSWER – SEE ENCLOSED.**

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16. Will the proposed position (page 8 of the application) replace the current temporary and part-time positions listed on page 7 of the application? If not, please explain why these two part-time positions will still be required. – **ANSWER - No. I have a position open in the field, and one going to open after 5/28/07 in the office.**
17. Please provide the current position descriptions of each employee. Please provide timesheets for January through April 2007 for each employee.
18. Please provide all benefit term sheets that list the benefit plan and costs including co-pays, deductibles, and effective dates. Please include information on any employee payments towards the premiums. . – **ANSWER – SEE ENCLOSED.**
19. Please provide the terms and accounting for any pension plan that the Company has in place. Please include employee contribution levels, employer contribution levels, and type of plan. – **ANSWER - NO PENSION PLAN CURRENTLY, HAVE BEEN LOOKING FOR ONE.**
20. Please explain the basis for the \$9,000 adjustment to pension and benefit costs.
21. Concerning Account 611, please provide costs for 2004, 2005, and 2006 and invoices for 2006. – **ANSWER – SEE ENCLOSED.**
22. Concerning Account 615, please provide all 2006 and 2007 to-date power invoices (bills). What company provides power to CRRWC? – **ANSWER – SEE ENCLOSED.**
23. Concerning Account 619, please provide costs for 2004, 2005, and 2006 and invoices for 2006. - **ANSWER – SEE ENCLOSED.**

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24. Concerning Account 619.1, please provide the following information:

a. Pitney-Bowes (or other postal meter) invoices (lease and postage charges) for 2004 through 2006. – **ANSWER – WE USE POSTAGE AND PERMIT WITH POST OFFICE.**

b. If a Pitney-Bowes machine is not used, please provide: - **ANSWER – N/A**

i. The frequency of billings to customers (monthly, quarterly, etc.);

ii. The billing format (postcards, stamped envelopes);

iii. The rate for each customer billing (i. e., \$0.39, other);and

iv. The average number of monthly bills (power, etc.) mailed by the Company.

25. Please provide all monetary and in-kind donations made in 2006 and 2007. In-kind donations would include material, labor, and parts for the fire station road work, donations of 30,000 gallon tanks, and other projects that donations were made. – **ANSWER - At this time, the only donations have been from Rooks Enterprises, so no info to be provided.**

26. Concerning Account 620, please provide costs for 2004, 2005, and 2006 and invoices for 2006. - **ANSWER – SEE ENCLOSED.**

27. Concerning Account 621, please provide costs for 2004, 2005, and 2006 and invoices for 2006. - **ANSWER – SEE # 26**

28. Concerning Account 632, please provide:

a. Invoices for 2004, 2005, and 2006.

b. Please explain the basis for the proposed adjustment.

29. Concerning Account 633, please provide invoices for 2004, 2005, and 2006. Please ensure all invoices specifically state the case or related matter. – **ANSWER – SEE ENCLOSED**

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30. Concerning Account 635, please provide:
- Invoices for 2004, 2005, and 2006.
See Attachment 30 2004-2007
 - Please provide the schedule testing for 2007, and listed cost for each test.
- **ANSWER - Per Umpqua we are in a normal year for testing. 2007 isn't a year for any of our costly tests just our regular monthly testing.**
31. Concerning Account 636, please provide:
- Costs and invoices for 2004, 2005, and 2006.
 - An explanation of services including why the services could not be performed by water company personnel. - **ANSWER - SEE ENCLOSED**
32. Concerning Account 642, please provide costs for 2004, 2005, and 2006 and invoices for 2006. - **ANSWER - SEE ENCLOSED**
33. Concerning Account 643 (, please provide costs for 2004, 2005, and 2006 and invoices for 2006. - **ANSWER - Please see Attachments for # 26**
34. Concerning Account 648, please provide costs for 2004, 2005, and 2006 and invoices for 2006. - **ANSWER - SEE ENCLOSED** Please explain and provide documentation for the adjustment.
35. Concerning Account 650, please provide costs for 2004, 2005, and 2006 and invoices (fuel, maintenance, etc.) for 2006. - **ANSWER - SEE ENCLOSED**
36. Concerning Account 656, please provide the policies and premium sheets for all vehicles insured by the Company. Are all these vehicles owned by the Company? Please explain. - **ANSWER - SEE ENCLOSED**
37. Concerning Account 657, please provide the policies and premium sheets for all liability and property insurance. - **ANSWER - SEE ENCLOSED**
38. Concerning Account 658, please provide the policies and premium sheets for all workers' compensation insurance. - **ANSWER - SEE ENCLOSED** Please explain and provide documentation for the adjustment.

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39. Concerning Account 660, please provide costs for 2004, 2005, and 2006 and invoices for 2006. Please explain and provide documentation for the adjustment.
40. Concerning Account 666, please provide all invoices concerning the rate application.
41. Concerning Account 672, please provide invoices and applicable documentation (engineering plans, etc.) for the adjusted amount. - **ANSWER - All engineering the new well, pipeline and tank have been accomplished. However, there may always be a situation in which we need to consult engineers.**
42. Concerning Account 673, please provide costs for 2004, 2005, and 2006 and invoices for 2006.
43. Concerning Account 675, please provide costs for 2004, 2005, and 2006 and invoices for 2006. Please explain and provide documentation for the adjustment.
44. Concerning plant, please explain why all plant listed in the 2007 Federal Book Depreciation Schedule that was not purchased through the loans listed in the response to Staff's data request No. 10, is not properly categorized as CIAC since CRRWC is a Nonprofit Corporation, Mutual Benefit with Members and no investor equity was used to purchase this equipment.
45. Please explain why CRRWC would apply a return on equity to plant that was not purchased from loans since the funds for all plant was contributed by members of the Nonprofit Corporation, Mutual Benefit with Members.

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46. Concerning vehicles and construction equipment (backhoes, dump truck, excavators, etc.), please categorize using the following table format. For each vehicle that is owned by the Company, please provide a copy of the title.

VEHICLE	COMPANY OWNED
1984 590 Case Backhoe	YES
1994 International Truck (dump truck)	YES
1992 Ford Ranger PU	YES
1993 Ford Ranger PU	YES
1997 Ford PU	YES
2006 Chevrolet PU	Being purchased on contract
1980 Ford Dump Truck	YES
2000 Rodcl Dump Trailer	YES
350 KW Gen-set Generator	No title available
Crane	No title available
590 Backhoe	No title available

All the above is owned by the water company. We have been unable to locate titles for some equipment, but will file with DMV for lost titles where appropriate.

Equipment owned by JR Rooks, personally, is not included here as it is not relevant to this rate case.

For any equipment owned by JR Rooks, but used for Company purposes, please provide the vehicle log that shows total equipment hours and hours used in Company operations. – **ANSWER - Not available.**

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47. For any vehicles purchased by the Company and sold to JR Rooks, please provide: - **ANSWER - This transaction took place prior to 11/20/06 and does not concern the PUC.**

- a. The purchase price by the Company (include loan statements for any vehicles purchased through a loan that include term of the loan, interest rate applied, and monthly payments);
- b. The sale price to JR Rooks; and
- c. The sales contracts between the Company and JR Rooks that indicate purchase price, payment terms (monthly, etc.), payment amounts, interest charge, and duration of loan.
- d. Copies of all payment checks to the Company from JR Rooks that indicate the terms of the loan agreements have been made.
- e. Proper documentation that demonstrates that all payments for vehicles by JR Rooks has been properly recorded in Company revenue.

48. Concerning any contract between the Company and JR Rooks to store Company equipment, please provide: - **ANSWER - Mr. Rooks does not charge the company for storage.**

- a. Monthly lease payments.
- b. List of equipment stored by JR Rooks.
- c. Copies of 2005 and 2006 property tax statements concerning the structure that equipment is being stored.
- d. A copy of the insurance premium for the structure that includes a "contents coverage" clause to show that equipment stored is properly insured for damage and theft. Is the insurance for the structure paid by the Company or JR Rooks? Please explain.

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49. Concerning any contract between the Company and JR Rooks to maintenance Company equipment, please provide:

- a. Monthly maintenance payments.
- b. 2006 and 2007 documentation of maintenance for each vehicle/equipment owned by the Company.
- c. Does the maintenance contract include costs associated with maintenance of equipment owned by JR Rooks, but used by the Company? Please explain.
- d. Please explain why there is a monthly maintenance contract with JR Rooks, since JR Rooks is an employee of the Company and has the capability to perform the required maintenance as an employee. - **ANSWER - Mr. Rooks charges \$500 per week for all repairs. This is a flat fee. The PUC will not be involved in Mr. Rooks personal business.**

50. Please explain and provide documentation on the Com Link contract.

51. For each improvement listed on page 22 of the application, please provide information in the following table. Additionally, please provide plats for each construction area. - **ANSWER - These improvements took place before 11/20/06, and have no effect on '07 rates.**

Project (from application)	Construction Cost (from application)	Number of Potential Customers	Actual Number of Customers connected to the Construction	Cost per Customer
Peninsula Drive	\$193,740			
Chipmunk	\$39,750			
Steelhead	\$61,147			
Golden Mantel	\$37,404			
Quail-Steelhead	\$31,485			
Canary	\$202,151			
Hummingbird	\$12,900			

52. For each construction project listed above, please provide a cost breakdown (parts, labor, equipment, contracts, etc.) for each project. Please provide all supporting documentation (invoices, etc.) for the projects. - **ANSWER - These improvements took place before 11/20/06, and have no effect on '07 rates.**

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53. For each customer connected to the projects, please provide copies of payments received from the customers. – **ANSWER - These improvements took place before 11/20/06, and have no effect on '07 rates.**
54. Concerning the additional line extensions, please provide the estimated labor time and costs included in the project. Will these extensions be paid from the assessment fee or charged to connecting customers?
55. Concerning the Radio Read Meter Conversion, please provide the estimated annual savings in personnel costs. Included in the estimate should be an estimation of average time to read meters on a monthly basis. – **ANSWER - Currently it takes 5-7 days to read meters depending on the weather. With Radio Read meters the most it will take is 4 hours and that will depend on the amount of traffic.**
56. Please explain the cost basis of the Connection Charge for new service of \$1,750. – **ANSWER – The \$1,755 is considered an SDC (system development charge) this charge includes the cost of the meter.**
57. Please explain if the Company charges this charge once for the initial connection to a residential/commercial structure or if the Company assesses this fee every time a new customer moves into an existing structure that previously had water service. - **ANSWER: The connection charge is a one time only, charged to the customer that establishes the original connection.**
58. Please explain the \$27 return check charge. What is the current bank charge to CRRWC for a returned check? - **ANSWER: The current bank charge to CRRWC is \$1. However, the company has to process letters to the customer in order to collect, and also there are accounting entries to make the necessary adjustments. Most companies and businesses locally charge \$27 to the customer for NSF checks.**

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Please provide an original and one complete copy of your response to the attention of Vikie Bailey-Goggins, PO Box 2148 or 550 Capitol St NE Ste 215, Salem, OR 97308-2148; (puc.datarequests@state.or.us) and one complete copy to the attention of counsel for PUC Staff, Jason W. Jones, Department of Justice, 1162 Court St NE, Salem, OR 97301-4096 (jason.w.jones@state.or.us).

Michael Dougherty
Program Manager
Corporate Analysis and
Water Regulation
(503) 378-3623

cc: Service List

May 9, 2007

CROOKED RIVER RANCH WATER COMPANY
PO BOX 2319
TERREBONNE, OREGON 97760

RE:	<u>Docket No.</u>	<u>Staff Request No.</u>	<u>Response Due By</u>
	UW 120	DR 59 - 68	May 24, 2007

Please provide responses to the following request for information. Contact the undersigned before the response due date noted above if the request is unclear or if you need more time.

59. According to Crooked River Ranch Water Company's¹ Explanation of Charges, the Company lists a meter charge for 1" (\$425) and 5/8" (\$235) meter assemblies. Are there any circumstances where customers do not pay for the meter? Please explain - **ANSWER - The only time a meter is not charged to a customer is when the company replaces it due to damage, etc. The cost of the meter on extension projects is included in the total cost – not billed separately.**

¹ In Order No. 06-642, dated December 20, 2006, the Commission asserted jurisdiction over CRRWC. Although the Company refers to itself as a cooperative, the Order was clear on the status of CRRWC and stated:

Furthermore, because jurisdiction presumptively attached at that time, CRRWC became a regulated utility subject to laws administered by the Commission. Those laws require, among other things, that a utility obtain Commission approval prior to the disposal of utility property. See ORS 757.480. Contrary to CRRWC's arguments, the dissolution, transfer, and reorganization of a water company's assets requires approval under this statute. Having failed to obtain that approval, CRRWC's efforts to reorganize as a cooperative under ORS Chapter 62 are without legal effect.

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60. Concerning the 2005, 2006, and 2007 new construction, please provide the following:

- a. A description of the project;
- b. The reference in the 20-year master plan concerning the project;
- c. A breakdown of costs (company labor, materials, contract services, licenses, etc.); and
- d. The source of funds (assessment, general funds, etc.).

ANSWER - The 2005-6 construction took place prior to PUC's jurisdiction of 11/20/06. Therefore, no explanation is necessary or will be forthcoming. Any future projects will be described at the time the project is estimated to take place. There is no way of foreseeing costs of materials, labor, or materials on a project planned years in advance, as the prices change daily. None of the past or future projects were even envisioned by prior management, therefore, not mentioned in the 20-year plan. The 20-year plan was a poorly thought out document and in many cases completely inaccurate. Funding for future projects will come from various sources at the time of the project.

61. Please provide the following information concerning the four Land items listed in CRRWC's plant (Land - Well #4, New Office/Shop Land, Land (March 2001), and Land, Phase 16, Lot 45):

- a. Jefferson County Tax Records that include legal comments concerning ownership transfer; and
- b. Title documents for each piece of land. - Answer - Documents are attached.

62. Please provide a description of the Machinery & Equipment item listed as "Power Valve Exec & Too." - ANSWER - This piece of equipment is a power extractor for a 2 liter wine bottle to remove the cork.

63. Please provide a copy of the Company's Capitalization Policy. Does CRRWC have a monetary threshold that distinguishes between expense and capital? Please explain.

64. Please provide a copy of the Company's current Backflow Policy.

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65. Does the Company perform backflow testing? If so, is it an opt-out or opt-in program? Please explain. -ANSWER - CRRWC does not provide backflow testing. Customers are advised when their test is coming due, and provided a copy of the certified testers list from the CCB website. It is their responsibility to arrange for the test.
66. If the Company performs backflow testing, what were the costs and revenues for the program in 2004 through 2006?
See #65
67. Please provide a copy of the Company's current By-laws and By-laws that were in effect in December 2005. -ANSWER - CRRWC was not under PUC authority in 2005, therefore, this is outside the scope of authority. Current by-laws are being finalized by legal counsel.
68. Please provide copies of the Company's IRS 501(c)(12) filings for the years 2002 through 2006.

Please provide an original and one complete copy of your response to the attention of Vikie Bailey-Goggins, PO Box 2148 or 550 Capitol St NE Ste 215, Salem, OR 97308-2148; (puc.datarequests@state.or.us) and one complete copy to the attention of counsel for PUC Staff, Jason W. Jones, Department of Justice, 1162 Court St NE, Salem, OR 97301-4096 (jason.w.jones@state.or.us).

Michael Dougherty
Program Manager
Corporate Analysis and
Water Regulation
(503) 378-3623

cc: Service List

Attachment B
Page 17 of 17

1 **CERTIFICATE OF SERVICE**

2
3 I certify that on June 7, 2007, I served the foregoing upon all parties of record in this
4 proceeding by delivering a copy by electronic mail and by mailing a copy by postage prepaid
5 first class mail or by hand delivery/shuttle mail to the parties accepting paper service.

6
7 CHARLES G NICHOLS
8 PO BOX 1594
9 REDMOND OR 97756
10 charlien@blazerind.com

11 **CROOKED RIVER RANCH WATER CO**
12 BRIAN ELLIOTT
13 PRESIDENT, BOARD OF DIRECTORS
14 PMP 313 - 1604 S HWY 97 #2
15 REDMOND OR 97756

16 **CROOKED RIVER RANCH WATER COMPANY**
17 JAMES R ROOKS
18 GENERAL MANAGER
19 PO BOX 2319
20 CROOKED RIVER RANCH OR 97760
21 jr@crrwc.com

22 **PUBLIC UTILITY COMMISSION OF OREGON**
23 MICHAEL DOUGHERTY
24 550 CAPITOL ST NE - STE 215
25 SALEM OR 97301
26 michael.dougherty@state.or.us



Neoma Lane
Legal Secretary
Department of Justice
Regulated Utility & Business Section