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P.U.C.

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UW 120

In the Matter of:

CROOKED RIVER RANCH WATER
COMPANY

MOTION FOR RECONSIDERATION
ON CRRWC MOTION TO CHANGE
ADMINISTRATIVE LAW JUDGE

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OCT 09 2007

Public Utility Commission of Oregon
Administrative Hearing Division

RECITALS

By Motion dated September 20, 2007, Crooked River Ranch Water Company (CRRWC) requested a change of Administrative Law Judge pursuant to OAR 471-060-005 (3). As additional authority for this request, CRRWC cites ORS 183.645.

In a ruling dated September 21, 2007, Patrick Power denied the Motion for Change of Administrative Law Judge citing the content of the Oregon Office of Administrative Hearings web site.

LEGAL AUTHORITY

Pursuant to ORS 756.014, the Public Utility Commission (PUC) is designated as a state administrative agency. As such, the PUC is subject to the Administrative Procedures Act set forth under Chapter 183 of the ORS. Pursuant to ORS 183.635(2) (t) the Public Utility Commission is not required to use an Administrative Law Judge assigned from the office of Administrative Hearings. While the PUC is not required to use an Administrative Law Judge assigned from the Office of Administrative Hearings, no part of ORS 183.635 relieves the Public

1- MOTION FOR RECONSIDERATION

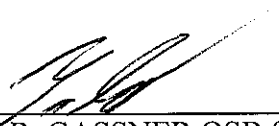
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GLENN, SITES, REEDER & GASSNER, LLP
ATTORNEYS AT LAW
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1 Utility Commission from complying with other provisions of the Administrative Procedures Act
2 and Oregon law for the administration of contested case hearings in Administrative Law Courts.
3 Certainly the content of the Oregon Administrative Hearings Office website is not legally binding
4 authority and does not support the conclusion that the rules for procedure in contested case
5 hearings do not apply to the PUC.

6 RESPECTFULLY submitted this 4 day of October 2007.

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8 GLENN, SITES, REEDER & GASSNER, LLP

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TIMOTHY R. GASSNER OSB 02309
Attorney for CRRWC

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26 2- MOTION FOR RECONSIDERATION

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1 CERTIFICATE OF SERVICE

2 I certify that on October 4, 2007, I served the foregoing upon the following, by
3 mailing a copy by postage prepaid first class to:

4 Charles G. Nichols
5 PO Box 1594
6 Redmond, OR 97756

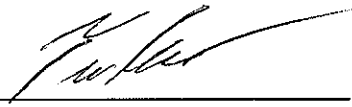
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3-Certificate of Service

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