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NATIONAL ACTION NETWORK OREGON

Ruth Pitts-London, President/CEO , Oregon Chapter
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May, 31, 2011

Regarding the matter:

ISSUED: April 26, 2011

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

UM 1489

In the Matter of
FISH MILL LODGES WATER SYSTEM
Application for an Order Authorizing
Abandonment of Water Service

ATTN: Ms. Kathy Taylor

REQUEST FOR INTERVENER STATUS REPORT

Upon submission to the OPUC for request to intervene, I have not received confirmation regarding status. I completed the required document via e-mail and have not received an official response. I, again, am requesting to participate in above referenced hearing as a third party intervener. Please inform me as soon as possible of approval to be present via telephone prior to June 6, 2011 hearing. I am requesting this document be made a matter of record to be read during the hearing:

As a third party intervener and Advocate Rights Activist with the National Action Network Oregon, we work primarily on Civil Rights; Human Rights; and, Social Justice issues. As such, it is our position Mrs. Judy Bedsole has rightfully requested to terminate responsibility to supply water to a small community of three (3) people; due to the liability and huge financial expense involved to continue as a service provider. More importantly, Mrs. Bedsole possess the right to make decision and request Application for Abandonment as a Service Provider. **As third party intervener on behalf of Mrs. Judy Bedsole and Shawn Bedsole, 1st Assistant/Fish Mill Water Systems (FMWS); I, respectfully, request of the Court to approve the Abandonment Application submitted by the FMWS. Denial of this request would prove to be a violation of the constitutional rights of the water supplier as owner of the property to include the water system. Request for abandonment should be readily approved by the local Oregon Public Utility Commission (OPUC); and, the illegal and unlawful demands from the Community in question I, respectfully, request be denied based on the nature of their request they have no rightful standing.**

There are numerous other alternatives which can be considered by the Commission as well as by the Community in question without violating the rights of others. **(1) The community can act in their own best interest and become an independent Water Service Supplier to meet their own natural needs—and stimulate the economy; Perhaps, with a little assistance from the OPUC they can opt to not only**

service themselves—they can service others as the community grow. As it stands the Bedsole Family have made decision they no longer desire to supply water at this time; nor, enter into financial servitude. **(1a) The Community in question can opt to get a loan themselves and/or pool their own financial resources and do as the Bedsoles attempted to do-- serve community from the nearest lake on property they can rent or maybe purchase. Unless, they are afraid the OPUC will attempt to take control and/or take away their property too.** Please note: Many people have made business decisions which have gone bad. Had the Bedsole's known prior to now the water would become a health hazard, without clear explanation where the source of the problem lie, I am sure they would not have made the decision to attempt to be of service to their community. Had they able to foresee OPUC would attempt to force them to be a water service provider at their own detriment—sacrificing their life, peace and pursuit of happiness because they had desire to serve community—I am sure they would not have invested in the business of becoming a water supplier. As it is not against the law to rescind a business decision, there is no justification for forced sell or relinquishment of property. The Application for Abandonment was designed specifically for cases like these; during an unstable economy like we are in now. In addition, it appears the local Oregon Public Utility Commission (OPUC) has no desire to be of help to either the supplier of water or the community the local water supplier once attempted to serve. Nevertheless, it is more than logical for the Owner to apply for abandonment of the responsibility--it is a wise business decision! The economy as unstable as it is today—the liability is too great! I think most trusted business minded people would consider it a wise, sound, prudent business ratification.

For this water supplier to not request abandonment-- would prove to be a liability to her as a Service Provider, and a Health Hazard to those she would continue to serve. Another option, is: **(2) The Community make the repairs and rent use of the facility from Judy Bedsole after final repair payment (2a) Water usage would be free until repair obligations were met. (2b) Ms. Bedsole as owner and business investor would by law rightfully retain all rights to the property. (2c) The Community would not reserve or maintain no interest in the property or water. (2d) The community would began making regular utility payments after all final repair obligations are met.** The aforementioned scenarial is the usual and widely utilized practice by all utility companies throughout the United States of America. Pacific Power, and Bonneville Power pass their expense on to their customers; and, the customers are not owners in none of these public utilities. And, no customers or clients, are trying to force themselves to become owners of someone or something over which they had/have no initial or legal vested interest. This practice continues today—the customer/client absorb the cost; and, settle for continued use and access to the availability of the natural resources --because it is in their best interest to do so.

Mrs. Bedsole has acted in good faith! She has demanded nothing--in fact, she's weighed each option and have not mandated or required anything of the Community in question other than what is rightfully hers to demand—which has been payment for water services provided—regardless of contamination—the Community has and is still benefiting. As a Service provider, Mrs. Bedsole contemplated options relative to her & her deceased husband's investment as a potential available water resource: **(3) The Community can opt to boil their water IF that is what will make it safe for usage subject to an adjusted water rate; or, the Community may install their own water system--which would cost an enormous amount of money, or they can consider making repair to the now broken system without interest or ownership.** The Bedsoles are not trying to throw good money into a now poor (bad) investment. The true source of the problem has not yet been determined—it takes money to do that—and based on the attitude of OPUC and the Community in question it is necessary at best to obtain a second or third opinion. OPUC makes no guarantee the water will not continue to be a health hazard given all new gearing is replaced. It makes no sense to continue to put money into something which will not be a Bedsole point of advantage.—and, the role of the public utility commission should be that of a mediator—not a dictator.

It is apparent there's some motives lurking around in the background as the actions of the OPUC and the Community are at best questionable. The communication submitted by the Community making an offer of \$1.00 to purchase Bedsole property is not reasonable and unacceptable.

If the OPUC does not have a problem with people being in business for themselves, there are several options which should have been considered other than forcing sell and/or relinquishment of personal property. Listed are a few more options—Option **(4) If the commission does not think it to be a tremendous financial expense--maybe the commission can simply make the repairs.** **(4a) The OPUC could make the repairs and let the community make payments to the commission;** That is, if the OPUC is concerned about community. **(4b) If the community is financially poor, perhaps, the community (with the help of OPUC) can request a block grant or some emergency funding to assist the elderly?** And, if the Bedsoles at some point should desired to continue, maybe the OPUC can offer assistance to Mrs. Bedsole. *These options are acts of good faith-- to assist the public which the Commission is in place to serve. The OPUC and Community in question appear to be have a similar perspective —as they appear self-serving, angered, and retaliatory by the decisions of Mrs. Bedsole and her having chosen to managed her own business.*

OPUC decision is rude, disrespectful, illegal, self-serving, and a conflict of interest. OPUC states to overhaul **your system (fix it) or lose your property—Sounds a lot like a threat and theft.** Surely, there's some question of logic to that solution. **(5) More important, is the OPUC offers the no logical alternatives-- except to sell or relinquish property.** There are other alternatives which could have been considered--many which has just now been brought to the attention (of the Court) such as; here's one more: **(6) Grant Mrs. Bedsole's Application for Abandonment.**

It is unusual and non customary procedures to penalize a individual for starting a business venture and when the business becomes a risk--due to no fault of their own-- he/she is forced to sell their business to the state--that concept alone places the state in a position of "Conflict of Interest." The State's position should be to provide services and options to the prospective customers without violation of the U.S. Constitution & Oregon State Laws and encourage others to do the same; particularly as it relates to personal property. Fish Mill Water System has a right to totally shut down operations temporarily or permanently; until financially capable to do otherwise, as well as retain property rights.

It is clear there are motives behind this entire maneuver. I am obliged to request an official federal investigation regarding this matter should other remedial options not be considered. The un-consented, unnecessary, and illegal taking away of property; the disregard for and intent to deny a citizen of rights afforded all persons who are owner/proprietor without due process of law is not an option; and, is not acceptable. I beg of the Court to grant legal relief and dismiss Mrs. Bedsole, Owner/Proprietor, & Shawn Bedsole as her Assistant of all cumbersome Court actions and fees initiated by the OPUC and the Community in question. The Bedsoles thank you and I thank you for your indulgence of the longevity of this communication and for conducting a righteous Court. *All viable options are being presented for consideration and response to Mrs. Judy Bedsole. Details can be worked out upon dismissal of all fees and charges.*

My gratitude to the Court for making this a matter of record,

Ruth Pitts-London, Executive Director
National Action Network Oregon
RPL:wrn

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

DOCKET NO. _____

In the Matter of Fish Mill Lodge

PETITION TO INTERVENE
National Action Network Oregon/
Ruth Pitts-London

NAME OF PETITIONER: National Action Network Oregon/Ruth Pitts-London,
President/CEO

ADDRESS: P.O. Box 66837

PHONE NUMBER: (503)775-3635

E-MAIL ADDRESS: nanoregon@q.com

NAME OF COUNSEL FOR PETITIONER: N/A

COUNSEL'S ADDRESS: N/A

COUNSEL'S PHONE NUMBER: N/A

COUNSEL'S E-MAIL ADDRESS: N/A

IF THE PETITIONER IS AN ORGANIZATION, THE NUMBER OF MEMBERS IN AND THE PURPOSES OF THE ORGANIZATION: The National Action Network Oregon is a Social Justice Organization which accepts complaints from community regarding matters concerning Civil and Human Rights injustice. The number of member(s) as required by the National Headquarters in New York, NY is 25; however, the number may fall under 25 while building membership.

NATURE AND EXTENT OF THE PETITIONER'S INTEREST IN THE PROCEEDINGS: My participation during legal proceeding shall be that of an observer.

THE ISSUES THE PETITIONER INTENDS TO RAISE AT THE PROCEEDINGS:

I reserve the right to ask questions for clarity and understanding, if necessary during the course of the proceedings.

PETITIONER'S SPECIAL KNOWLEDGE OR EXPERTISE, IF ANY, THAT WOULD ASSIST THE COMMISSION IN RESOLVING THE ISSUES IN THE PROCEEDINGS:

NAMES, ELECTRONIC ADDRESSES, TELEPHONE NUMBERS, AND PHYSICAL ADDRESSES OF THE REPRESENTATIVES THAT PETITIONER WOULD LIKE ADDED TO THE SERVICE LIST IN THIS DOCKET:

Based on the information provided above in accordance with the Commission's rules of procedure, I request to participate in these proceedings as a party. I or the organization

that I represent will not unreasonably broaden the issues, burden the record, or delay the proceedings. OAR 860-001-0300.

Ruth Pitts-London

Petitioner or Petitioner's Representative:

Date: April 26, 2011