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July 18, 2016

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Civil and Administrative Appeals
Oregon Department of Justice
1162 Court Street NE
Salem, Oregon 97301

IN THE COURT OF APPEALS OF THE STATE OF OREGON

JUDY BEDSOLE and FISH MILL
LODGES WATER SYSTEM,

Petitioners,

v.

OREGON PUBLIC UTILITY
COMMISSION,

Respondent.

TRANSMITTAL OF ENTIRE RECORD
AND CERTIFICATE

Appellate Court No. CA A162079

Agency Case Nos. UM 1489, UM 1528,
UCR 121, UCR 122, UCR 123, UCR 133,
UCR 135

I am enclosing an original and three copies of the record for Appellate Court No. CA A162079, in two boxes (Box 1 is small; Box 2 is large). One complete record, for the Court, is contained in Box 1.

Please call me if you need further assistance.

PUBLIC UTILITY COMMISSION OF OREGON

Cheryl Walker, Administrative Specialist 2
Administrative Hearings Division
(503) 378-2849

IN THE COURT OF APPEALS OF THE STATE OF OREGON

JUDY BEDSOLE and FISH MILL
LODGES WATER SYSTEM,

Petitioners,

v.

OREGON PUBLIC UTILITY
COMMISSION,

Respondent.

TRANSMITTAL OF SHORTENED
RECORD AND CERTIFICATE

Appellate Court No. A162079

Agency Case Nos. UM 1489, UM 1528,
UCR 121, UCR 122,
UCR 123, UCR 133,
UCR 135

I, Cheryl Walker, Administrative Specialist 2, Public Utility Commission of Oregon, pursuant to ORS 183.482(4), list below and transmit herewith the original of the shortened records (UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135) under review in the above proceedings, except that wherein a copy of any document or paper is filed herein, I hereby certify that I have compared the copy with the original and that it is a true and correct copy of the original and the whole thereof.

| <u>VOLUME I</u> | | |
|-----------------|--|-------------|
| <u>Item</u> | <u>Description</u> | <u>Page</u> |
| 1 | UCR 135 - Bounce back e-mail from UCR 135 service list for Peter Mohr (of Petition For Judicial Review). Removed from service list 5/18/16. Dated 5/18/16. | 666-667 |
| 2 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--Petition for Review of Agency Order No. 16-075; Judy Bedsole's and Fish Mill Lodges Water System's Petition For Judicial Review; filed by Ann Fisher. (Courtesy copy via U.S. Mail to those without e-mail addresses on 5/18/16.) Dated 5/2/16; | 654-665 |
| 3 | UM 1489, UM 1528 - Bounce back e-mail from UM 1528 service list for Peter Mohr (of Order No. 16-075). Removed from service list on 3/2/16. Dated 3/1/16. | 652-653 |

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| 4 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--Order No. 16-075, signed by Commissioners Susan K. Ackerman, John Savage, and Stephen M. Bloom; DISPOSITION: PETITION FOR RECONSIDERATION DENIED; MOTION TO STAY DENIED AS MOOT. Copies served electronically to dockets UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, & UCR 135, and via U.S. Mail to those without e-mail addresses on 3/1/16 and Ann Fisher on 3/2/16. Entered 2/29/16. | 630-639 |
| | Together with copies of: Order No. 00-739; and Order No. 07-391 | 640-647 648-651 |
| 5 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--JUDY BEDSOLE and FISHMILL LODGES' Supplement to Petition for Rehearing, Reconsideration, and Clarification; Filed by Ann Fisher. Dated 2/8/16. | 617-629 |
| 6 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--Bonnie Lucas' Response to Motion to Stay Enforcement of Order; Filed by Bonnie C. Lucas. Dated 1/20/16. | 612-616 |
| 7 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--Bonnie Lucas' Response to Petition for Rehearing, Reconsideration and Clarification; Filed by Bonnie C. Lucas. Dated 1/20/16. | 601-611 |
| 8 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--STAFF's Response to Motion for Stay of Order No. 15-364; Filed by Jason W. Jones. Dated 1/20/16. | 597-602 |
| 9 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--STAFF's Response to Petition for Rehearing, Reconsideration, and Clarification; Filed by Jason W. Jones. Dated 1/20/16. | 580-596 |
| 10 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--JUDY BEDSOLE's and FISHMILL LODGES' Motion to Stay Enforcement of Order UM 1489 Pending Decision on Bedsole et al Petition for Rehearing, Reconsideration, and Clarification; Filed by Ann Fisher. 1/11/16. | 574-579 |
| 11 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--JUDY BEDSOLE AND FISHMILL LODGES WATER SYSTEM's Petition for Rehearing, Reconsideration, and Clarification; Filed by Ann Fisher. Dated 1/5/16. | 566-573 |

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| 12 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--Order No. 15-364, signed by Commissioners John Savage, and Stephen M. Bloom; DISPOSITION: WATER SYSTEM TRANSFERRED; REGENT RELEASED; JURISDICTION RELINQUISHED; CASES DISMISSED. Copies served electronically to dockets UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, & UCR 135, and via U.S. Mail to those without e-mail addresses on 11/6/15. Entered 11/6/15. | 541-565 |
| 13 | UM 1489 - STAFF's Motion for Final Order; Filed by Malia Brock. Dated 10/1/15. | 524-540 |
| 14 | UM 1489 - Judy Bedsole's and Fish Mill Lodges Water System's Submittal in compliance with Order No. 12-027. Electronically filed by Peter D. Mohr; Hard copy originals rec'd 3/8/12. Dated 2/29/12. | 491-523 |
| 15 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--Order No. 12-027 signed by Commissioners John Savage, Susan K. Ackerman and Stephen Bloom; DISPOSITION: STIPULATION APPROVED; Electronically served 1/30/12. Entered 1/30/12. | 442-490 |
| <u>VOLUME II</u> | | |
| 16 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--Staff's Testimony in Support of Stipulation (Staff/300, Miller); Filed electronically by Linda Martin and hard copy rec'd 1/20/12. Dated 1/20/12. | 414-441 |
| 17 | UM 1489 - NOTICE OF CANCELLATION OF (11/29/11) TELEPHONE PREHEARING CONFERENCE; Copies served electronically 11/28/11. Dated 11/28/11. | 411-413 |
| 18 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, UCR 135--Staff's filing of Stipulation among Fish Mill Lodges Water System, Staff, Intervenors Lucas, Durland, and Varenas. Filed electronically by Jason W. Jones. Hard copy rec'd 11/23/11. Signatory pages to Stipulation for Dennis Varenas & Barbara Varenas rec'd. electronically 12/14/11. Dated 11/23/11. | 364-410 |
| 19 | UM 1489 - NOTICE OF TELEPHONE PREHEARING CONFERENCE scheduled 11/29/2011 10:00 AM; Copies served electronically 11/10/11. (See Notice of CANCELLATION 11/28/11). Dated 11/10/11. | 361-363 |
| 20 | UM 1489 - Notice of Cancellation of Telephone Conference scheduled 8/22/11. Copies served electronically 8/19/11. Dated 8/19/11. | 358-360 |

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| 21 | UM 1489 - Administrative Law Judge Patrick Power ... issues Ruling; DISPOSITION: PREHEARING CONFERENCE CANCELED. Copies served electronically 8/19/11. Dated 8/19/11. | 355-357 |
| 22 | UM 1489 - STAFF's Request to Cancel Conference scheduled 8/22/11; filed electronically by Jason W. Jones. Hard copy rec'd. 8/18/11. Dated 8/18/11. | 352-354 |
| 23 | UM 1489 - Notice of Telephone Prehearing Conference scheduled 8/22/2011, 1:30 PM; served electronically 8/9/11. (See 8/19/11 Notice of CANCELLATION.) Dated 8/9/11. | 349-351 |
| 24 | UM 1489 - Legal Secretary Carol Hulse's electronic notification to docket UM 1489 parties of the change in time of the telephone prehearing conference on 7/21/11. Time is changed from 1:30 p.m. to 3:00 p.m. Dated 7/21/11. | 346-348 |
| 25 | UM 1489 - NOTICE OF TELEPHONE PREHEARING CONFERENCE scheduled 7/21/2011, 1:30 PM; served electronically 7/5/11. Dated 7/5/11. | 343-345 |
| 26 | UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133--VERENAS's Notice of change in e-mail address; Electronically filed by Barbara Varenas; Hard copy rec'd 7/6/11. Dated 7/1/11. | 340-342 |
| 27 | UM 1489 - ALJ Patrick Power issues Prehearing Conference Memorandum (prehearing conference set for 7-21-11). Copies electronically served 6/21/11. Dated 6/21/11. | 337-339 |
| 28 | UM 1489 - FISH MILL's Notice of Appearance of Counsel (made orally by Peter Mohr at 6/21/11 Prehearing Conf.); Granted by ALJ at Prehearing Conference. Dated 6/21/11. | 336 |
| 29 | UM 1489 - NOTICE OF TELEPHONE PREHEARING CONFERENCE scheduled 6/21/2011 3:00 PM; Copies served electronically 6/9/11 and via U.S. Mail 6/10/11 to parties. Dated 6/9/11. | 333-335 |
| 30 | UM 1489 - STAFF's Unopposed Motion to Vacate Schedule and Request for Prehearing Conference; Electronically filed by Michael T. Weirich for Jason W. Jones. Hard copy rec'd 6/9/11. Dated 6/9/11. | 330-332 |
| 31 | UM 1489 - NOTICE OF CANCELLATION OF HEARING (Telephone Hearing, June 6, 2011 at 1:00 p.m.); Copies served electronically to parties 6/6/11 at 1:12 p.m. Dated 6/6/11. | 327-329 |
| 32 | UM 1489 - Intervenor Bonnie Lucas' Rebuttal Testimony and Exhibits A-L; Filed electronically by B. L.; Corrected Certificate of Service filed electronically 6/2/11. Hard copy rec'd 6/6/11. Dated 6/1/11. | 286-326 |

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| 33 | UM 1489 - Intervenor Bonnie Lucas' Testimony and Exhibits 1-8 submitted with Answer on 3/25/11 in Docket UM 1528. Filed electronically by Ms. Lucas 3/25/11. Hard copy rec'd 3/28/11. Dated 6/1/11. | 267-285 |
| 34 | UM 1489 - Intervenors Dennis and Barbara Varenas' Testimony and Exhibits in to Response to Complaint in UM 1528 (Answer filed on 3/22/11 in docket UM 1528) Filed in hard copy and electronically on 3/22/11 by B.V. and D.V. Dated 6/1/11. | 257-266 |
| 35 | UM 1489 - Dennis and Barbara Varenas' letter (a) objecting to NANO's petition for intervention and (b) request to include their Testimony in UM 1528 as part of the record in docket UM 1489. Filed electronically by Barbara Varenas. Hard copy rec'd 6/3/11. Dated 6/1/11. | 254-256 |
| 36 | UM 1489 - Intervenor Bonnie Lucas's Objection to Petition to Intervene of NANO; Filed electronically by B.L. Hard copy rec'd 6/3/11. Dated 5/31/11. | 249-253 |
| 37 | UM 1489 - Order No. 11-179 signed by Commissioners John Savage and Susan K. Ackerman; DISPOSITION: PETITION TO INTERVENE DENIED. Electronically served 5/31/11. Entered 5/31/11. | 245-248 |
| 38 | UM 1489 - NATIONAL ACTION NETWORK OREGON's (NANO's) Petition to Intervene, with attachment letter; Filed electronically by Ruth Pitts-London. Dated 5/31/11. | 239-244 |
| 39 | UM 1489 - FISH MILL's Exhibit 2 to Rebuttal Testimony entitled "Kathy Miller Testimony Rebuttal" filed on 5/24/11. Filed electronically by Judy Bedsole. Hard copy filed on 5/24/11. (See also 5/24/11 Testimony filing). Dated 5/25/11. | 226-238 |
| 40 | UM 1489 - FISH MILL's Exhibits 4-6 to Rebuttal Testimony entitled "Phil Boyle Testimony Rebuttal" filed on 5/24/11. Filed electronically by Judy Bedsole. Hard copy rec'd 5/24/11. Dated 5/25/11. | 223-225 |
| 41 | UM 1489 - FISH MILL's Page 3 of Exhibit 3 to Rebuttal Testimony entitled "Kathy Miller Testimony Rebuttal" filed on 5/24/11. Filed electronically by Judy Bedsole. Hard copy filed on 5/24/11. (See also 5/24/11 Testimony filing). Dated 5/25/11. | 222 |

VOLUME III

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| 42 | UM 1489 - FISH MILL's Rebuttal Testimony (Part 2 of 2) entitled "Kathy Miller Testimony Rebuttal" with exhibits 1b through 13; Filed electronically 5/24/11. Hard copy rec'd 5/24/11 with postmark of 5/23/11. Exhibit 2 and Exhibit 3, page 3 were filed electronically on 5/25/11 and posted separately. (Conditionally accepted upon receipt of additional required hard copies). Dated 5/24/11. | 170-221 |
| 43 | UM 1489 - FISH MILL's Rebuttal Testimony (Part 1 of 2) entitled "Phil Boyle Testimony Rebuttal" with exhibits 2-8; Filed electronically 5/24/11. Hard copy rec'd 5/24/11 with postmark of 5/23/11. (Conditionally accepted upon receipt of additional required copies). (See also 5/25/11 supplemental filing of Exhibits 4-6). Dated 5/24/11. | 148-169 |
| 44 | UCR 135 - NOTICE OF CANCELLATION OF June 2, 2011 HEARING. Copies served electronically and via U.S. Mail 5/13/11. Dated 5/13/11. | 145-147 |
| 45 | UCR 135 - ALJ Patrick Power issues Ruling; DISPOSITION: MOTION GRANTED; DOCKET HELD IN ABEYANCE. Copies electronically served 5/13/11. Dated 5/13/11. | 141-144 |
| 46 | UM 1528 - Defendants Dennis and Barbara Varenas response to Motion to Stay; Filed electronically on 5/13/11 by Barbara Varenas. Hard copy rec'd 5/16/11. Dated 5/13/11. | 139-140 |
| 47 | UCR 135 - FISH MILL's Notice of Appearance of Counsel and Motion to Stay; Filed electronically by Peter D. Mohr. (Expedited Consideration Requested). Dated 5/13/11. | 135-138 |
| 48 | UM 1528 - Defendant Bonnie Lucas's Objection to Complainant's Motion for Stay; Filed electronically by Ms. Bower on behalf of Defendant, B.L.; Hard copy with Certificate of Service rec'd 5/17/11. Dated 5/13/11. | 131-134 |
| 49 | UM 1528 - ALJ Patrick Power issues Ruling; DISPOSITION: MOTION GRANTED; DOCKET HELD IN ABEYANCE. Copies electronically served 5/13/11. Dated 5/13/11. | 128-130 |
| 50 | UM 1528 - FISH MILL LODGES' Motion to Stay; Filed electronically by Peter D. Mohr. (Expedited Consideration Requested). Hard copy rec'd 5/16/11. Dated 5/13/11. | 124-127 |
| 51 | UM 1489, UM 1528--Intervenor Bonnie Lucas' Request for hard copy service; Filed electronically by B.L. Hard copy with Certificate of Service rec'd 5/17/11. Dated 5/13/11. | 121-123 |
| 52 | UM 1528 - ALJ Patrick Power issues Ruling; DISPOSITION: MOTION GRANTED. Copies electronically served 5/10/11. Dated 5/10/11. | 118-120 |

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| 53 | UM 1528 - FISH MILL's Notice of Appearance of Counsel and Request for Expedited Consideration of Motion for Extension of Time; Filed electronically by Peter D. Mohr. Hard copy rec'd 5/11/11. Dated 5/10/11. | 114-117 |
| 54 | UM 1489 - NOTICE OF HEARING via Telephone scheduled 6/6/2011 1:00 PM; Copies electronically served to dockets UM 1489 and UM 1528 on 5/10/11 and via U.S. Mail to dockets UM 1489, UM 1528, & UW 123 on 5/11/11. (See 6/6/11 Notice of Cancellation.) Dated 5/10/11. | 109-113 |
| 55 | UCR 135 - FISH MILL's letter regarding Defendant's Testimony filing and request for hearing. Filed electronically by Judy Bedsole. Hard copy rec'd 5/9/11. Dated 5/4/11. | 104-108 |
| 56 | UCR 135 - NOTICE OF HEARING via Telephone scheduled 6/2/2011 10:00 a.m.; Copies served electronically and via U.S. Mail 5/4/11. (See 5/13/11 Notice of Cancellation.) Dated 5/4/11. | 101-103 |
| 57 | UCR 135 - Legal Secretary Annette Taylor's correspondence to Defendant regarding Testimony filing; Sent to Defendant via U.S. Mail on 5/2/11. Copies served to service list via U.S. Mail 5/4/11. Dated 5/2/11. | 98-100 |
| 58 | UCR 135 - Complainant Don Durland's Testimony and Exhibits; Filed in hard copy by D.D. Original signed hard copy rec'd 5/12/11. Certificate of Service, showing hard copy service on Fish Mill 4/28/11, filed in hard copy 5/19/11. (Personal Identifying Information not included because the redacted information provides all information except for the identities of bank account numbers). Dated 5/2/11. | 81-97 |
| 59 | UM 1489 - STAFF's Direct Testimony of Kathy Miller and Phil Boyle (Staff/100-101, Miller); (Staff/200, Boyle); Filed by Kay Barnes of Staff. Electronic version and hard copy rec'd 5/2/11. Dated 5/2/11. | 15-80 |
| 60 | UM 1489, UCR 121, UCR 122, UCR 123, UCR 133, UI 297 - Benjamin M. Kearney's Notice of Withdrawal of Representation of Fish Mill; Filed electronically by Mr. Kearney. Dated 5/2/11. | 11-14 |
| 61 | UM 1489 - ALJ Patrick Power issues Prehearing Conference Memorandum; DISPOSITION: SCHEDULE ADOPTED. Notice of Contested Case Rights pursuant to ORS 183.413 attached to electronic and hard copies. Copies served electronically and via U.S. Mail 4/26/11. Dated 4/26/11. | 7-10 |

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| 62 | UM 1489 - Customers Dennis and Barbara Varenas, Don Durland, and Bonnie Lucas; All granted Intervenor status at 4/25/11 Prehearing Conference by ALJ Patrick Power. Dated 4/25/11. | 6 |
| 63 | UM 1528, UCR 135--Order No. 11-131, signed by Commissioners John Savage and Susan K. Ackerman; DISPOSITION: DISCONNECTION OR TERMINATION OF SERVICE DENIED. Copies electronically served to docket UM 1528 on 4/22/11 and electronically and via U.S. Mail to docket UCR 135 on 4/22/11. Entered 4/22/11. | 1-5 |

Dated at Salem, Oregon, this 18th day of July, 2016.

Cheryl Walker

Name: Cheryl Walker
Title: Administrative Specialist 2
Agency: Public Utility Commission of Oregon

CERTIFICATE

STATE OF OREGON)
)
County of MARION)

I hereby certify that the foregoing Transmittal of Shortened Records Under Review and Certificate for UM 1489, UM 1528, UCR 121, UCR 122, UCR 123, UCR 133, and UCR 135 is a true and correct copy of the original and of the whole thereof.

Dated at Salem, Oregon, this 18th day of July, 2016.

Cheryl Walker

Name: Cheryl Walker
Title: Administrative Specialist 2
Agency: Public Utility Commission of Oregon
