

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UW 160

In the Matter of

SUNRIVER WATER LLC

Request for a General Rate Revision

PRECAUTIONARY MOTION FOR
RECONSIDERATION

On March 6, 2015, the Oregon Public Utility Commission (“Commission”) entered an action in its online eDocket for this case titled “Compliance.” The eDocket description for that action states that “Order 14-405 required Sunriver Water to file an Affiliated Interest Agreement. See UI 355 for that filing.”

Intervener The Sunriver Owners Association (“SROA”) was not served with any order in connection with the “compliance” action and is not sure that the action constitutes an order under the Oregon Administrative Procedure Act. *See* 183.310(6). To the extent that the action constitutes an order, SROA respectfully moves the Commission, pursuant to OAR 860-001-0720, to reconsider the action, because Sunriver Water LLC’s (“Sunriver Water”) UI 355 affiliated interest application does not comply with Order 14-405.

Order 14-405 adopts a stipulation of the parties, which contains two conditions. The first condition provides:

“[Sunriver Water] will file a new affiliated interest agreement within 90 days of the date of the final order. The application will address all of the charges from affiliates that [Sunriver Water] plans to seek rate recovery of in its next rate application.” Order 14-405, Appendix A, at 2.

That condition requires Sunriver Water to file an application seeking Commission approval of a new Management Agreement between Sunriver Water and its parent entity, Sunriver Resort Limited Partnership (“SRLP”). SROA’s understanding is reinforced by the Commission staff testimony in the rate case. *See* Staff Exhibit 100, Staff Testimony of Celeste Hari at 11 (explaining that the adoption of “Condition No. 2 [*sic*]” ameliorates the Commission staff’s concern with the Management Agreement).¹

¹ Ms. Hari refers to Condition No. 2. SROA believes that is a typographical error and that Ms. Hari intended to refer to Condition No. 1.

In UI 355, Sunriver Water did not file an application seeking approval of a new Management Agreement with SRLP; instead, Sunriver Water is seeking approval of two new lease agreements with its affiliate, Sunriver Environmental LLC. Consequently, Sunriver Water has not complied with Order 14-105.

Based on the foregoing, SROA asks that the Commission reverse for good cause its determination that Sunriver Water has complied with Order 14-405 by filing UI 355. SROA's requested change will alter the outcome of this case, because it will require Sunriver Water to, at least, file an affiliated interest application seeking approval of a new Management Agreement with SRLP in order to comply with Order 14-405.

Respectfully submitted.

DATED this 1st day of May, 2015.

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*Of Attorneys for Intervener The Sunriver Owners
Association*

CERTIFICATE OF FILING

I hereby certify that I have on this date filed the foregoing **PRECAUTIONARY MOTION FOR RECONSIDERATION** electronically with the Public Utility Commission of Oregon at the following address:

Public Utility Commission of Oregon
Attn: Filing Center
PO Box 2148
Salem, OR 97308
puc.filingcenter@state.or.us

CERTIFICATE OF SERVICE

I hereby certify that I have on this date served the foregoing **PRECAUTIONARY MOTION FOR RECONSIDERATION** upon all parties of record in this proceeding by electronic mail pursuant to OAR 860-001-0180, to the following parties or attorneys of parties:

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DATED this 1st day of May, 2015.

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