

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 UW 166

4 In the Matter of
5 ROATS WATER SYSTEM, INC.,
6 Request for a General Rate Revision.

MOTION TO ADMIT SECOND
AMENDED STIPULATION

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8 The Public Utility Commission or Oregon Staff (Staff) respectfully requests that the
9 attached Second Amended Stipulation be admitted to the UW 166 record and requests a
10 Commission decision adopting the Second Amended Stipulation, which supersedes the Amended
11 Stipulation filed on September 22, 2020. *See* OAR 860-001-0350(7)(b).

12 In Order No. 17-123, the Commission adopted two stipulations to set rates for Roats
13 Water System, Inc. (Roats). In the first Partial Stipulation, Roats and Staff (herein, Stipulating
14 Parties) agreed that Roats would file a general rate case “no later than three years and six months
15 after a final order is issued in this case, with a test year reflective of the Company’s most recent
16 full fiscal year of actuals.” The Commission issued its final order on March 29, 2017, making
17 the latest date for filing a general rate case under the terms of the first Partial Stipulation on or
18 before September 29, 2020. On September 22, 2020, the Stipulating Parties filed an Amended
19 Stipulation requesting a three-month extension of original stipulation’s requirement for the
20 Company to file a general rate case, requesting a date of January 1, 2021. As of the date of this
21 filing, the Commission has not ruled on the Amended Stipulation. All Stipulating Parties agreed
22 to an extension of an additional three months for the filing of a general rate case, due to
23 complications with resources and employee availability during the COVID-19 pandemic. As
24 such, pursuant to the Second Amended Stipulation, Roats would be required to file a general rate
25 case no later than March 1, 2021.

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1 Because of the very limited nature of this Second Amended Stipulation and the plain
2 meaning of the amendment, Staff respectfully requests that the Administrative Law Judge waive
3 the requirement of an explanatory brief or supporting testimony. *See* OAR 860-001-0350(7)(a).

4 For these reasons, Staff respectfully requests that the Second Amended Stipulation be
5 admitted into the record and the Commission issue an order approving the Amended Stipulation
6 without requiring an associated explanatory brief or supporting testimony.

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8 DATED this 11th day of December 2020.

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Respectfully submitted,

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ELLEN ROSENBLUM
Attorney General

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/s/ Sommer Moser

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Sommer Moser, OSB No. 105260
Assistant Attorney General
Of Attorneys for Staff of the Public Utility
Commission of Oregon

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SECOND AMENDED STIPULATION

8 Roats Water System, Inc. (Roats or the Company), appearing by and through its
9 authorized representative, William Roats, and the Public Utility Commission Staff (Staff)
10 appearing by and through its attorney, Sommer Moser, Assistant Attorney General agree to
11 amend the Partial Stipulation filed on December 13, 2017.¹ The Parties agree that Paragraph 5,
12 Subsection B of the first Partial Stipulation should be amended. It states:

13 Roats will file a general rate case no later than three years and six months after a
14 final order is issued in this case, with a test year reflective of the Company's
most recent full fiscal year of actuals.

15 The Commission issued its final order in this case on March 29, 2017. Therefore, Paragraph 5
16 requires the Company to file a general rate case no later than September 29, 2020. On
17 September 22, 2020, the Parties filed an Amended Stipulation, wherein they agreed to an
18 extension of for filing a general rate case of no later than January 1, 2021. As of the filing of the
19 second amended stipulation, the Commission had not yet issued an order on the Amended
20 Stipulation.

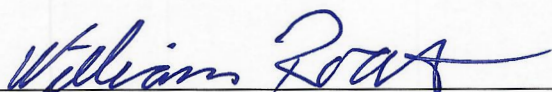
21 The Parties agree that the Company should be granted an additional extension to file a
22 general rate case due to extenuating circumstances that have arisen since the first Amended
23 Stipulation was filed. The Company indicated that it continues to need additional time to prepare
24 for the general rate case filing due to a shortage of staff as a result of COVID-19, which has led
25 to a decrease in the resources available to the Company necessary to prepare the general rate

26 ¹ Staff originally filed the first Partial Stipulation on December 6, 2016, but due to technical difficulties, refiled
(with new signature pages) the first Partial Stipulation on December 13, 2016 in its entirety.

3.

1 The Parties understand that this Second Amended Stipulation does not impact any other
2 facet of the Commission's Order No. 17-123 and does not foreclose the Commission
3 from addressing issues in future proceedings.
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5 DATED this 10 day of December 2020.
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9 William Roats
10 Roats Water System, Inc.
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