

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
7

MOTION TO ADMIT THIRD
AMENDED STIPULATION

8 The Public Utility Commission or Oregon Staff (Staff) respectfully requests that the
9 attached Third Amended Stipulation be admitted to the UW 166 record and requests a
10 Commission decision adopting the Third Amended Stipulation and amendment of Order No. 20-
11 469’s timeframe for a new general rate case. *See* ORS 756.568, *see also* OAR 860-001-
12 0350(7)(b).

13 In Order No. 17-123, the Commission adopted two stipulations to set rates for Roats
14 Water System, Inc. (Roats). In the first Partial Stipulation, Roats and Staff (herein, Stipulating
15 Parties) agreed that Roats would file a general rate case “no later than three years and six months
16 after a final order is issued in this case, with a test year reflective of the Company’s most recent
17 full fiscal year of actuals.” The Commission issued its final order on March 29, 2017, making
18 the latest date for filing a general rate case under the terms of the first Partial Stipulation on or
19 before September 29, 2020. On September 22, 2020, the Stipulating Parties filed an Amended
20 Stipulation requesting a three month extension of original stipulation’s requirement for the
21 Company to file a general rate case, requesting a date of January 1, 2021. As of the date of that
22 filing, the Commission had not ruled on the Amended Stipulation. On December 11, 2020, the
23 Parties filed a Second Amended Stipulation, wherein they agreed to an additional extension for
24 filing a general rate case of no later than March 1, 2021. On December 11, 2020, the
25 Commission issued Order No. 20-469, finding good cause to extend the time frame for the
26 Company to issue a general rate case and amending Order No. 17-123 accordingly.

1 All Stipulating Parties agreed to an additional extension of an additional two months for
2 the filing of a general rate case. This additional extension is requested due to a construction
3 project that the Company is completing for the City of Bend that has resulted in a decrease in the
4 resources available for the Company to prepare the general rate case. As such, pursuant to the
5 Third Amended Stipulation, Roats would be required to file a general rate case no later than May
6 1, 2021.

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

10 For these reasons, Staff respectfully requests that the Third Amended Stipulation be
11 admitted into the record and the Commission issue an order approving the Amended Stipulation
12 without requiring an associated explanatory brief or supporting testimony.

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14 DATED this 9th day of March 2021.

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Respectfully submitted,

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ELLEN ROSENBLUM
Attorney General

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/s/ Jill Goatcher

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Jill Goatcher, OSB #202294
Assistant Attorney General
Of Attorneys for Staff of the Public Utility
Commission of Oregon

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THIRD 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, Jill Goatcher, Assistant Attorney General agree to amend
11 the Partial Stipulation filed on December 13, 2017 and amend Order No. 20-469.¹ The Parties
12 agree that Paragraph 5, 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, Order No. 17-123, on March 29, 2017.

16 Therefore, Paragraph 5 requires the Company to file a general rate case no later than September
17 29, 2020. On September 22, 2020, the Parties filed an Amended Stipulation, wherein they
18 agreed to an extension for filing a general rate case of no later than January 1, 2021. On
19 December 11, 2020, the Parties filed a Second Amended Stipulation, wherein they agreed to an
20 additional extension for filing a general rate case of no later than March 1, 2021. On December
21 11, 2020, the Commission issued Order No. 20-469, finding good cause to extend the time frame
22 for the Company to issue a general rate case and amending Order No. 17-123 accordingly.

23 The Parties agree that the Company should be granted a third and final extension to file a
24 general rate case due to extenuating circumstances that have arisen since the second Amended
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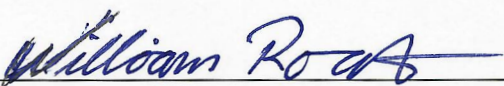
26 ¹ Staff originally filed the first Partial Stipulation on December 6, 2016, but due to technical difficulties, refiled
(with new signature pages) the first Partial Stipulation on December 13, 2016 in its entirety.

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The Parties understand that this Second Amended Stipulation does not impact any other facet of the Commission's Order No. 17-123 and does not foreclose the Commission from addressing issues in future proceedings.

DATED this 5 day of March 2021.



William Roats
Roats Water System, Inc.