

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

SECOND PARTIAL STIPULATION

8 This Second Partial Stipulation is between Roats Water System, Inc. (Roats or Company)
9 appearing by and through its President, William Roats, and the Public Utility Commission of
10 Oregon Staff (Staff), appearing by and through its attorney, Sommer Moser, Assistant Attorney
11 General (hereafter, collectively referred to as the Stipulating Parties). The other parties to this
12 case are intervenors William Burton, Pat McCabe, James Pease, James Powell, Richard Rotondi,
13 and Avion Water Company. This Second Partial Stipulation, in combination with the Partial
14 Stipulation in UW 166 filed on December 6, 2016, constitute a global settlement of all issues in
15 this case.

16 **I. INTRODUCTION**

17 On March 15, 2016, Roats filed a Request for a General Rate Revision, seeking to
18 increase its revenue requirement, to include in rates costs and revenues related to its proposed
19 acquisition of the Juniper Utility system from the City of Bend, the establishment of rates for
20 irrigation service, and for approval of a power cost adjustment tariff.

21 On December 6, 2016, the Stipulating Parties filed the first Partial Stipulation in this
22 proceeding, which resolved all issues in the case with the exception of the implementation date
23 for new rates. On December 6, 2016, the parties held a settlement conference to discuss the
24 implementation date for new rates and reached an agreement on that issue which is reflected in
25 the body of this Second Partial Stipulation. The Stipulating Parties respectfully request that the
26 Commission issue an order adopting this Second Partial Stipulation.

1 **II. TERMS OF STIPULATION**

2 1. The Stipulating Parties agree that approved rates should be implemented as soon
3 as practicable upon a final Commission order approving rates in this proceeding.

4 2. The Stipulating Parties recommend and request that the Commission approve this
5 Stipulation as an appropriate and reasonable resolution of the rate implementation date issue.

6 3. The Stipulating Parties agree that this Second Partial Stipulation is in the public
7 interest and will result in rates that are fair, just and reasonable and will meet the standard set
8 forth in ORS 756.040.

9 4. The Stipulating Parties agree that this Second Partial Stipulation represents a
10 compromise in the positions of the Parties. By entering into this Second Partial Stipulation, no
11 party shall be deemed to have approved, accepted, or consented to the facts, principles, methods,
12 or theories employed by any other party in arriving at the agreed settlement on any issue in this
13 case.

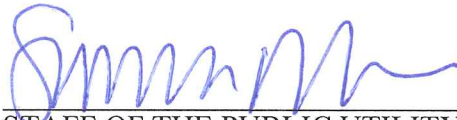
14 5. The Signing parties have negotiated this Second Partial Stipulation as an
15 integrated document. Pursuant to OAR 860-001-0350(9), if the Commission rejects all or any
16 material part of this Second Partial Stipulation, or adds any material condition to any final order
17 that is not consistent with this Second Partial Stipulation, each Stipulating Party reserves the
18 right, upon written notice to the Commission and all Parties to this proceeding within 15 days of
19 the date of the Commission's order, to withdraw from the Second Partial Stipulation and request
20 an opportunity for the presentation of additional evidence and argument.

21 6. The Signing Parties understand that this Second Partial Stipulation is not binding
22 on the Commission in ruling on this application and does not foreclose the Commission from
23 addressing other issues.

24 7. This Second Partial Stipulation may be signed in any number of counterparts,
25 each of which will be an original for all purposes, but all of which taken together will constitute
26 a complete agreement.

1 DATED this 9th day of December, 2016.

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4 ROATS WATER SYSTEM, INC.

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7 STAFF OF THE PUBLIC UTILITY
8 COMMISSION OF OREGON
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DATED this 8 day of December, 2016.



ROATS WATER SYSTEM, INC.

STAFF OF THE PUBLIC UTILITY
COMMISSION OF OREGON