BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

Docket WJ 34

In the Matter of	AMENDED PETITION
Request for Rate Regulation of Aspen Lakes Utility, LLC	

I. <u>Introduction and Relief Requested</u>

The Aspen Lakes development is located in the vicinity of Sisters, Oregon. The development consists of 81 improved residential lots and 34 unimproved lots around a golf course. The residential lots and the golf course receive water services from Aspen Lakes Utility Company, LLC ("Aspen Lakes Utility" or "Company").

The purpose of this Petition is to ask the Public Utility Commission of Oregon ("Commission") to exercise its rate regulation authority over Aspen Lakes Utility.

Petitioner in this proceeding is Aspen Lakes Estates Owners, Inc. ("HOA"), the homeowners' association for the development, which is a customer of the Company. Petitioner has concerns over the rising costs and fairness of the water service it and its members receive from Aspen Lakes Utility. For example, the HOA believes that the Company charges at least one customer – the entity that owns the golf course and which appears to be affiliated with the Company – a lower rate than it charges other unaffiliated customers using the same water for similar purposes. The HOA has had little success in obtaining information from the Company that would demonstrate the rates are fair, just, reasonable, and non-discriminatory, or that the rates are grounded in traditional principles of cost causation. Because Petitioner has no control or

ownership over Aspen Lakes Utility, its only recourse for testing the validity of the Company's rates is through the Commission.

II. Parties

Petitioner is the following:

Aspen Lakes Estates Owners, Inc. 16900 Aspen Lakes Dr. Sisters, OR 97759

Petitioner is represented in this proceeding by:

Tommy A. Brooks
Chad M. Stokes
Cable Huston LLP
1001 SW Fifth Ave.,
Suite 2000
Portland, Oregon 97204-1136
(503) 224-3092 (phone)
tbrooks@cablehuston.com
cstokes@cablehuston.com

Petitioner is not aware if the Company is represented by legal counsel. Based on information appearing in Commission records, the contact information for Aspen Lakes Utility is as follows:

Matt Cyrus 17204 HWY 126 Sisters, OR 97759 (541) 549-3660

III. Basis for the Requested Relief

Under the Commission's rules, small water utilities serving fewer than 500 customers are generally exempt from Commission regulation.¹ That exemption dissolves, however, if the water utility imposes residential rates that exceed certain dollar thresholds. Depending on the amount of the average annual residential rate and other factors, a water utility may become subject to service

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¹ OAR 860-036-1900(1).

regulation,² or it may become subject to rate and service regulation.³ Aspen Lakes Utility is already subject to service regulation. The relief Petitioner requests in this proceeding is that the Commission extend its regulation of the Company to rates in addition to service.

The specific authority for the Commission to exercise rate regulation over Aspen Lakes Utility is OAR 860-036-1900(3). Pursuant to that rule, a water utility serving fewer than 500 customers is subject to rate and service regulation if the utility also provides wastewater services inside a city or if the utility requests that it be rate regulated. That rule also subjects water utilities to rate regulation if:

The water utility proposes to charge a monthly rate that exceeds the threshold level set forth in OAR 860-036-1910 and at least 20 percent of the customers petition the Commission requesting the water utility be subject to rate and service regulation.⁴

As established in this Petition, Aspen Lakes Utility has proposed to charge a monthly rate that exceeds the threshold level set forth in OAR 860-036-1910 and at least 20 percent of the customers have now petitioned the Commission to exercise its rate regulation authority over the Company.

A. Aspen Lakes Utility's Rates Exceed the Threshold Level in the Rules

Pursuant to OAR 860-036-1910(2) and (3), utility customers have the right to petition the Commission for rate regulation if the utility proposes to charge residential and commercial customers an annual average monthly charge of \$45 for metered customers with a meter diameter one inch or less.

² OAR 860-036-1900(2).

³ OAR 860-036-1900(2).

⁴ OAR 860-036-1900(3)(c).

The residential customers in the Aspen Lakes development are metered and the meter size is one inch.

The Commission recently revised the rate threshold in its rules. Prior to the date the new rules took effect in January 2017, the threshold for smaller metered customers was \$36 per customer. Aspen Lakes Utility's rates exceeded that threshold throughout 2016.

In early January 2017, prior to the effective date of the new rules, the Company again raised its rates. The new rates established a monthly base charge of \$44 for residential customers, and doubled the per-gallon rate to \$2.00/thousand gallons (with 3,000 gallons/month included in the base charge), bringing the average monthly charge – after taking into account actual usage – above both the then-existing threshold amount and the threshold amount that would go into effect a few weeks later.

Based on the foregoing, the Company's rates have exceeded, and continue to exceed, the rule-based threshold amount giving customers the right to petition for rate regulation.

B. 20% of Aspen Lakes Utility's Customers Have Petitioned the Commission for Rate Regulation

Aspen Lakes Utility has 115 residential customers in the Aspen Lakes development. 81 customers are connected to the Company's distribution system and pay the full rate for water service. 34 undeveloped lots are charged \$22/month for "Standby Fire Service." For the Commission to exercise jurisdiction under OAR 860-036-1900(3)(c) based on the number of current customers, it would need to receive petitions from 23 customers. Attached as Exhibit A are 45 petitions representing 50 customers, each of which seeks rate regulation.

C. The Petitions Included with this Petition are Timely Filed

When a small, unregulated water utility seeks to raise rates above the threshold established in OAR 860-036-1910(2), it must take certain actions. Among those actions, the utility must

provide a separate written notice to all customers of the proposed increase.⁵ The required notice is intended, in part, to alert customers of their right to petition the Commission for rate regulation.⁶

The notice requirements set forth in the rule indicate that petitions for rate regulation must be received by the Commission within 45 days of the notice of proposed increase sent to customers. Aspen Lakes Utility's customers, however, have never received timely notice of proposed rate increases that exceed the threshold in the rule – this is true both for current rates under the revised threshold in the rules and for past rates that were in effect under the former rules. Aspen Lakes Utility did send a rate increase notice on March 9, 2017, but that notice occurred after the rates had already gone into effect. Had that notice alerted customers of proposed rates, petitions for rate regulation would have been due to the Commission by April 24, 2017. However, several factors exist which demonstrate why the March 9th notice was not effective.

First, the Company did not send its notice to customers within the time period required by the Commission's rules. Specifically, OAR 860-036-1920(1) requires the notice to be sent to customers prior to when rates above the rule threshold go into effect. Similarly, OAR 860-036-1920(2)(f) expressly states that "[t]he effective date must be at least 60 calendar days from the date of the notice..." (Emphasis added). The Company's current rates went into effect on January 1, 2017, more than three months prior to the date the Company sent the required notice on March 9, 2017. Thus, by the time customers received the notice, the higher rates were already in effect and had been included in charges to customers.

Second, the contents of the notice were deficient. The Commission's rules require the notice to include "a comparison of the current rates and the proposed rates for each affected

⁵ OAR 860-036-1920(1)(a).

⁶ OAR 860-036-1920(2)(h).

⁷ Id.

customer classes." Attached as Exhibit B to this Petition is a copy of the Company's notice, which does not include the rate comparison the rules require.

Third, while Commission Staff informed customers that it treated the March 9th letter as notice for purposes of starting the 45-day clock to submit petitions, customers were not informed of a unilateral change in the deadline for when the Commission would stop accepting petitions. Attached as Exhibit C is a series of communications between a customer and Staff with the Commission's Consumer Services Section. In those communications, the customer sought clarity regarding the due date for petitions. It was not confirmed until April 14, 2017 that the 45-day clock for submitting petitions was in effect as of March 9, 2017, and that the due date for petitions would be ten days later, leaving customers very little time, if they chose to, to work with other customers to obtain and submit petitions.

Acting on that short deadline, some customers then worked to obtain and to submit the correct number of petitions to the Commission. According to records provided by the Commission, 16 petitions were received by April 24, 2017, but (according to PUC Staff) 22 petitions were needed for the Commission to exercise its authority and begin rate regulation of the Company. However, when some customers received a response from the Commission that it had not received the requisite number of petitions, that response indicated that the deadline for petitions had been extended to May 1, 2017, although that extension was never communicated to customers. Had customers been aware of the extended deadline, they would have been able to collect a sufficient number of petitions. In fact, they have now done so, as demonstrated by the petitions included with Exhibit A.

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⁸ OAR 860-036-1920(2)(f).

⁹ The original petitions submitted to the Commission are included as Exhibit D to this Petition.

¹⁰ A copy of the Commission's response is included as Exhibit E to this Petition.

If the Commission determines that the Company's March 9th letter was valid notice of a proposed rate increase under the rule – which it should not do – Petitioner requests in the alternative that the Commission waive the rule requirement that petitions for rate regulation must be submitted within 45 days.

Pursuant to OAR 860-036-1000(3), the Commission has authority to waive rules in OAR 860-036 for good cause. As explained in more detail above, there is good cause to waive the 45-day requirement under the limited circumstances presented in this Petition. Aspen Lakes Utility's customers have experienced rate increases beyond the Commission's rule-based threshold without clear notice of their opportunity for seeking rate regulation. Even when the Company has attempted to provide the required notice, the process has been riddled with errors preventing customers from exercising their rights to seek rate regulation.

As further evidence of good cause for waiving the rule requirement, Petitioner notes that OAR 860-036-1930 provides a separate process whereby 20% of the members of an association may petition the Commission at any time to exercise rate regulation. The rules provide no distinction for why members of an association have that ability but that customers of a private water company can only submit petitions in the face of an impending rate increase. Members of an association typically have more protection over rates because they already own, operate, provide, manage, or control the water system. Customers like those of Aspen Lake Utility, however, have no direct recourse because they have no relationship with the utility other than as a customer. By waiving the time period for submitting petitions in this case, the Commission will be providing those customers with at least the same level of opportunity and protection as that granted to members of an association.

¹¹ OAR 860-036-1930(1).

IV. Conclusion

Aspen Lakes Utility has for years charged rates that exceed the Commission's rule-based threshold triggering potential rate regulation. The Company's customers, however, have not had a clear, sufficient opportunity for petitioning the Commission to begin exercising rate regulation over the Company.

Taking into account the petitions for rate regulation included with this Petition, a substantial number of the Company's customers have now expressed their intent to have the Commission rate regulate Aspen Lakes Utility. Based on those petitions and the information provided in this Petition, Petitioner respectfully requests the Commission issue an order as follows:

- 1. Accepting the petitions included with this Petition for purposes of exercising rate regulation pursuant to OAR 860-036-1900(3)(c);
- 2. Directing Aspen Lakes Utility to file a rate case within three months for the Commission to establish rates consistent with state law; and
- 3. If necessary, finding good cause to waive the 45-day requirement imposed by OAR 860-036-1920(2)(h) for receiving petitions seeking rate regulation;

Dated this 26th day of January 2018.

Respectfully submitted,

Tommy A. Brooks, OSB 076071 Chad M. Stokes, OSB 004007

Cable Huston LLP

1001 SW Fifth Avenue, Suite 2000

Portland, Oregon 97204-1136 Telephone: (503) 224-3092

Facsimile: (503) 224-3176

E-mail: tbrooks@cablehuston.com cstokes@cablehuston.com

Of Attorneys for Petitioner

Exhibit A

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS	FOR WATER UTILITIES
 Petitioners must be current members. Petitions may be submitted to the Commission at any time. Petitions will not be accepted by electronic mail. Petitions are in effect for six months from the date PUC receives the petition. Petitions may not be withdrawn or rescinded. Individual member letters may be submitted in lieu of a petition. 	 Petitioners must be current customers. Petitions may be submitted to the Commission when utility raises or proposes to raise rates above thresholds in OAR 860-036-1910. Petitions will not be accepted by electronic mail. The Commission must receive petitions within 45 days from the date PUC receives utility notice of rate increase or proposed rate increase. Petitions may not be withdrawn or rescinded. Individual customer letters may be submitted in lieu of a petition.

PETITION (Please Print & Sign, One Per Household)

Name: Aspen Lakes Estate Owners' Association

Service Address: 17045 Royal Coachman Drive, Sisters, Oregon 97759

Billing Address (if different): c/o CMI, 805 SW Industrial Way, Suite #9, Bend, Oregon 97702

E-Mail Address: ullien@mycascadia.com

September 11, 2017

Signature

Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Name:	Phone Number:
Service Address:	
Billing Address (if different):	
E-Mail Address:	
Signature	Date
~ Check here if you want your information as a petition PUC will keep your information confidential unless re	oner kept confidential.

Mail signed petitions to:

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

Date

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PETITION (Please Print 8	ß Sign, One Per Household)
Name: Michael Perton	Phone Number: 503-804-7168
Service Address: 1711 Lady Coroline Dr.	States OR 97279
Billing Address (if different):	
E-Mail Address: Michaeluspeyton @ g m	ail-com

Name: Michael Peyton	Phone Number: 503 -804 - 2/68
Service Address: Golden Stare 1	or. Sisters, OR 97759
Billing Address (if different):	
E-Mail Address: Michaela Devton	@amast-com
110/6/1	10/5/17
Signature	Date

Signature Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Exhibit A to Petition Docket WJ Page 3 of 45

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PETITION (Please Print & Sign, One Per Household)

Phone Number:

541 588 6234

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~ Check here if you want your information as a petitioner k	ept confidential
PUC will keep your information confidential unless require	d by law to disclose your information.
Name:	Phone Number:
Hal Kibby	541 588 6234
Service Address:	
16903 Royal Coachmar	n Drive
Billing Address (if different):	
Hkibby@icloud	.com
E-Mail Address:	
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PUC will keep your information confidential unless required	by law to disclose your information.

Revised: 2/23/17

Name:

Hal Kibby

Billing Address (if different):

16913 Royal Coachman Drive, Sisters, OR

Hkibby@icloud.com

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Service Address:

E-Mail Address:

Exhibit A to Petition Docket WJ-PETITION REQUESTING RATE REGULATION Page 4 of 45

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FOR ASSOCIATIONS	FOR WATER UTILITIES

Check here if you want your information as a petitioner kept confidential. PUC will keep your information confidential unless required by law to disclose your information. Name: Phone Number: Service Address: Billing Address (if different): E-Mail Address: Signature

PUC will keep your information confidential unless required by law to disclose your information. Mail signed petitions to:

~ Check here if you want your information as a petitioner kept confidential.

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

Date

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E-Mail Address:	
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Revised: 2/23/17

Name;

PETITION REQUESTING RATE REGULATION Page 6 of 45

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PETITION (Please Print & Sign, One Per Household)

Name:
Randy S. Randold

Service Address:

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Name:

Service Address:

Billing Address (if different):

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Signature

Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Mail signed petitions to:

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

Exhibit A to Petition Docket WJ-PETITION REQUESTING RATE REGULA Page 7 of 45

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PETITION (Please Print & Sign, One Per Household) Name: Service Address: Billing Address (if different): Signature Check here if you want your information as a petitioner kept confidential. PUC will keep your information confidential unless required by law to disclose your information. Phone Number: Name: Service Address: Billing Address (if different): E-Mail Address:

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Date

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

PUC will keep your information confidential unless required by law to disclose your information.

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Exhibit A to Petition Docket WJ-___ Page 10 of 45

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· Petitions may be submitted to the Commission when

· Petitioners must be current customers.

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PETITION (Please Print 8	k Sign, One Per Household)
Name: Stery Kuellaere	Phone Number: 549-4478
Service Address: 11899 60	Iden Stone Dr. SISTERS
Billing Address (if different):	
E-Mail Address: ruettaers @ n	nac. dom
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Signature ~ Check here if you want your information as a petition	•
PUC will keep your information confidential unless rec	Juired by law to disclose your information.
Name: Len Ruettgers	Phone Number: 541.549. 4478
Service Address: 12897 Golde Billing Address (if different):	en Here Dr. 515Ters
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Exhibit A to Petition
Docket WJPage 12 of 45

PETITION REQUESTING RATE REGULATION

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PETITION (Please Print & Sign, One Per Household)

01100

Phone Number:

JAUL OHCA	341-390-3541
Service Address: 842 Royal Coact	+ MAN DRIVE
Billing Address (if different): SISTERS OREGON	97759
E-Mail Address:	
WALL	10/11/2017
Signature	Date
~ Check here if you want your information as a petitioner kep	t confidential.
PUC will keep your information confidential unless required by	y law to disclose your information.
Name:	Phone Number:
Service Address:	
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PUC will keep your information confidential unless required by	by law to disclose your information.

PETITION REQUESTING RATE REGULATION Docket WJ-_____ Page 13 of 45

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

FOR WATER UTILITIES FOR ASSOCIATIONS · Petitioners must be current members. · Petitioners must be current customers. · Petitions may be submitted to the Commission when · Petitions may be submitted to the Commission at utility raises or proposes to raise rates above any time. · Petitions will not be accepted by electronic mail. thresholds in OAR 860-036-1910. · Petitions are in effect for six months from the date · Petitions will not be accepted by electronic mail. · The Commission must receive petitions within • PUC receives the petition. · Petitions may not be withdrawn or rescinded. 45 days from the date PUC receives utility notice · Individual member letters may be submitted in lieu of rate increase or proposed rate increase. · Petitions may not be withdrawn or rescinded. of a petition. · Individual customer letters may be submitted in lieu of a petition.

PETITION (Please Print & Sign, One Per Household)

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AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS FOR WATER UTILITIES · Petitioners must be current members. Petitioners must be current customers. · Petitions may be submitted to the Commission at · Petitions may be submitted to the Commission when any time. utility raises or proposes to raise rates above · Petitions will not be accepted by electronic mail. thresholds in OAR 860-036-1910. · Petitions are in effect for six months from the date Petitions will not be accepted by electronic mail. • PUC receives the petition. • The Commission must receive petitions within · Petitions may not be withdrawn or rescinded. 45 days from the date PUC receives utility notice · Individual member letters may be submitted in lieu of rate increase or proposed rate increase. of a petition. · Petitions may not be withdrawn or rescinded. · Individual customer letters may be submitted in lieu of a petition.

PETITION (Please Print & Sign, One Per Household)

Name:	Phone Number:
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	Oct 11, 2017
Signature /	Date
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PUC will keep your information confidential unless re	quired by law to disclose your information.
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Service Address:	
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E-Mail Address:	
	Oct 11, 2017
Signature	Date
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1 00 will keep your information confidential unless re	quired by law to disclose four information.

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

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PETITION (Please Print & Sign, One Per Household)

Phone Number:

rry Slaughter		5035807829
17158 Caddis court		
ent):		
Jerrydslaughter@gmail	.com	
allas C		10/4/17
Signature		Date
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Revised: 2/23/17

Name:

PETITION REQUESTING RATE REGULATION Page 16 of 45

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS	FOR WATER UTILITIES
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PETITION (Please Print & Sign, One Per Household)

Name: Thomas M. THOMPSON

Phone Number: 541-588-6029

Service Address: 17100 Golden Stone Drive, Sisters, OR 97759

Billing Address (if different):

E-Mail Address: thompson17100@gmail.com

October 5, 2017

Signature

Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Name:	Phone Number:	
Service Address:		
Billing Address (if different):		
E-Mail Address:		7
4		
Signature	Date	

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

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PETITION (Please Print & Sign, One Per Household)

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Phone Number:

Check here if you want your information as a petitioner kept confidential. PUC will keep your information confidential unless required by law to disclose you wanter. Name: Phone Number: Service Address: Phone Number: Converse Conve	Date prinformation.
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PUC will keep your information confidential unless required by law to disclose you hame: Phone Number:	ur information.
Name: Tedith Troils Phone Number:	er information.
reduto Traile 501-6	28-11130
reduto Traile 501-6	28-11130
Service Address:	100 Pod 60
16963 10401 Coechman	RS(Steas
Billing Address (if different):	
E-Mail Address: 30 hawks 72 & Yahoo.	Lon
Sudith W Troiks	10/9/17
Signature	Date



Name:

Service Address:

Billing Address (if different):



Exhibit A to Petition PETITION REQUESTING RATE REGULATION

Docket WJ-Page 18 of 45

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

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Name: Phone Number: Service Addres Billing Address (if different) E-Mail Address Signature Check here if you want your information as a petitioner kept confidential. PUC will keep your information confidential unless required by law to disclose your information. Name: Phone Number: Service Address: Billing Address (if different): E-Mail Address: Signature Date

- Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Exhibit A to Petition Docket WJ-___

PETITION REQUESTING RATE REGULATION

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

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PETITION (Please Print & Sign, One Per Household)

Name: BRIAN i Melinda With	Phone Number: 541 420 9505
Service Address: 16872 Royal Coachinson DR	Sisters OR 97759
Billing Address (if different):	
POBOX 1866 Sisters Or	C 97759
E-Mail Address: bwit & fwwlaw.	(CV-7
Dr.	10-11-17
Signature	Date
~ Check here if you want your information as a petitioner ke	ept confidential
PUC will keep your information confidential unless required	by law to disclose your information.
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AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

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PETITION (Please Print & Sign, One Per Household)

Name: /	Phone Number:
JAMES WOITHSEK	Phone Number: 541 549 6173
Service Address:	
Service Address: 17001 LADY CAROLINE (Billing Address (if different):	OR SISTERS, OR 97789
Billing Address (if different):	
16515 WREN LN SIS	TERS, OR 97759
16515 WREN LN SIS E-Mail Address: jwojtasek @ gr	nail- COM
MW & taul	10/6/17
Signature	Date
Check here if you want your information as a petition	oner kept confidential.
PUC will keep your information confidential unless re	equired by law to disclose your information.
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Check here if you want your information as a petition	oner kept confidential.
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Exhibit A to Petition Docket WJ Page 21 of 45

PETITION REQUESTING RATE REGULATION

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

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PETITION (Please Print & Sign, One Per Household)

Name:	Phone Number:
Edward Woods	503 704-9960
Service Address: 69145 Dansel Fly Ct. Billing Address (if different):	Sisters, OR 97759
Billing Address (if different):	•
E-Mail Address: ewoods e of wood.co	3m
E-Mail Address: Cwoods Octowood.co	10/19/17
Signature	Date
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PUC will keep your information confidential unless required by	by law to disclose your information.
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PETITION REQUESTING RATE REGULATION Docket WJ-_

FOR WATER UTILITIES

Petitioners must be current customers.

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS

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PETITION (Please Print 8	Sign, One Per Household)			
Name: O 1 O 1	Phone Number:			
RAY BARNUM	714-873-6578			
Service Address: 1696Z ROYAL COACHMAN DR	- SISTERS, OR 97759			
Billing Address (if different):				
E-Mail Address: barnumrb@ms	n, com			
Jay Barren	10/7/17			
/ / Signature	Date			
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PETITION REQUESTING RATE REGULATION Docket WJ-______ Page 23 of 45

FOR WATER UTILITIES

Date

Petitioners must be current customers.

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS

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PETITION (Please Print &	Sign, One Per Hous	sehold)		
Name: Stephen Dixon	Phone Number	8-(0151		
6 . 411	ne Dr. Sist	KUTS OR 97759		
Billing Address (if different):				
E-Mail Address: Soldixon 716 @ gma	ail.com			
Atypon Digan		10-4-17		
Signature		Date		
~ Check here if you want your information as a petition	er kept confidential.			
PUC will keep your information confidential unless required by law to disclose your information.				
Name: Cavol Dixon	Phone Number	38-6151		
Service Address: 17054 Lady Cardine Dr. Sisters, OR 97759				
Billing Address (if different)				

~ Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Water Utility Update # 2C.pdf





PETITION REQUESTING RATE REGULATION

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

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PETITION (Please Print & Sign, One Per Household)

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AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

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PETITION (Please Print & Sign, One Per Household)

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	Signature	(1		Date
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Exhibit A to Petition Docket WJ-___ Page 26 of 45

PETITION REQUESTING RATE REGULATION

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS	FOR WATER UTILITIES
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PETITION (Please Print & Sign, One Per Household)

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PUC will keep your information confidential unless required b	y law to disclose	your information.
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Revised: 2/23/17

Name:

PETITION REQUESTING RATE REGULATION Docket WJ-Page 27 of 45

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS	FOR WATER UTILITIES		
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PETITION (Please Print & Sign, One Per Household) Name: Phone Number: (541) 549-0125			

Service Address: 16975 Green Drake (**). Sisters, Or

Billing Address (if different):

Signature

Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Phone Number:

Service Address:

Billing Address (if different):

E-Mail Address:

Signature

Date

Check here if you want your information as a petitioner kept confidential.

Phone Number:

Service Address:

Billing Address (if different):

E-Mail Address:

Signature

Date

Check here if you want your information as a petitioner kept confidential.

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PETITION REQUESTING RATE REGULATION

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ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS	COD WATER LITERATE
Petitioners must be current members. Petitions may be submitted to the Commission at any time. Petitions will not be accepted by electronic mail. Petitions are in effect for six months from the date PUC receives the petition. Petitions may not be withdrawn or rescinded. Individual member letters may be submitted in lieu of a petition.	FOR WATER UTILITIES Petitioners must be current customers. Petitions may be submitted to the Commission when utility raises or proposes to raise rates above thresholds in OAR 860-036-1910. Petitions will not be accepted by electronic mail. The Commission must receive petitions within 45 days from the date PUC receives utility notice of rate increase or proposed rate increase. Petitions may not be withdrawn or rescinded. Individual customer letters may be submitted in lieu of a petition.

PETITION (Please Print & Sign, One Per Household)

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Phone Number:

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Billing Address (if different)

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Date

Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Phone Number:

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Date

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Name:

Service Address:

Billing Address (if different):

E-Mail Address:

Chael of Fry team com

Signature

Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Revised: 2/23/17

Cascadia Mant Inc 805 Su Goscade Industrial way Suite 9 Bence 97702

PETITION REQUESTING RATE REGULATION Docket WJ-Page 29 of 45

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS	FOR WATER UTILITIES
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PETITION (Please Print & Sign, One Per Household)

Name: Alyn Gibat Phone Number: 541-719-0056

Service Address: 7168 Caddis C7. Sisters, 0R 97759

Billing Address (if different):

E-Mail Address: Agibert 35700 yahoo. Com

Signature Date

Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Name: Elaine Gilbert	Phone Number: 541-719-0056
Service Address: 17168 Caddis	CT.
Billing Address (if different):	
E-Mail Address: Agilbert 357	@ yahoo, com
Colpine gribert	10/15/17
Signature	Date
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Exhibit A to Petition Docket WJ-___ Page 30 of 45

PETITION REQUESTING RATE REGULATION

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS	FOR WATER UTILITIES
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PETITION (Please Print & Sign, One Per Household)

Name: ROBIN + JOHN GOLD	Phone Number: 541 - 7-19 - 8-222
Service Address: Lady Caroline 1)	<i>Y</i> 1
Billing Address (if different) 97759	
E-Mail Address: KCGOH 28@gmall, CO	m
Folix ma	10/5/17
Signature	Date
\sim Check here if you want your information as a petitioner kept	t confidential.
PUC will keep your information confidential unless required b	y law to disclose your information.
Name:	Phone Number:
Service Address:	
Billing Address (if different):	
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Signature	Date
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PUC will keep your information confidential unless required b	y law to disclose your information.

PETITION REQUESTING RATE REGULATION Petition Pet

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

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	of a petition.

PETITION (Please Print & Sign, One Per Household)

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PETITION REQUESTING RATE REGULATION

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ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS

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FOR WATER UTILITIES

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Name: Mary J. Heiman	Phone Number: 541-549-6336	
Camilan Address:		
Billing Address (if different):		
E-Mail Address:		
Jody 16821@qmail.co	on Mary & Verman 10-18-19	
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PUC will keep your information confidential unless rec	quired by law to disclose your information.	
TOO WIN KOOP JOAN MICHIGAN SELECTION	-	
Name	Phone Number:	
Name: Vern L. Heiman	541-549-6336	
Service Address:		
Billing Address (if different):		
E-Mail Address: 1004 16821@q	mail, com	
Norm & Heiman	n 10-18-17	
Signature	Date	
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PUC will keep your information confidential unless required by law to disclose your information.

PETITION REQUESTING RATE REGULATION Page 33 of 45

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

(ASPEN LAKES UTILITY COMPANY, LLC)

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PETITION (Please Print & Sign, One Per Household)

Name: JH HERSCHER FAMILY PARTNERSHIP

Phone Number: 541-604-0119

Service Address: 16971 LADY CAROLINE DRIVE, SISTERS, OR 97759

E-Mail Address: slamcpa@bendcable.com

Billing Address (if different):

Signature

~ Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Name:	Phone Number:	
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Signature	Date	
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Mail signed petitions to:

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

PETITION REQUESTING RATE REGULATION Docket WJ-_

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE 34 of 45 PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

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PETITION REQUESTING RATE REGULATION

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PETITION (Please Print & Sign, One Per Household) Name: Billing Address (if different): SAME ahip @ hotmail.com E-Mail Address: 10-5-2017 Date Signature ~ Check here if you want your information as a petitioner kept confidential. PUC will keep your information confidential unless required by law to disclose your information. Phone Number: Name: Service Address: Billing Address (if different): E-Mail Address: Date Signature Check here if you want your information as a petitioner kept confidential. PUC will keep your information confidential unless required by law to disclose your information.

PETITION REQUESTING RATE REGULATION Docket WJ-Page 36 of 45

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PETITION REQUESTING RATE REGULATION

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PETITION REQUESTING RATE REGULATION Docket WJ-

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PETITION (Please Print & Sign, One Per Household)

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Revised: 2/23/17

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PETITION REQUESTING RATE REGULATION Page 39 of 45

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PETITION (Please Print & Sign, One Per Household)

Name: SCOTT AND JANET LAMOREAUX

Phone Number: 541-604-0119

Service Address: 16951 LADY CAROLINE DRIVE, SISTERS, OR 97759

Billing Address (if different):

E-Mail Address: slamcpa@bendcable.com

Signature

Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Name:	Phone Number:	
Service Address:		
Billing Address (if different):		
E-Mail Address:		
Signature		Date

Mail signed petitions to:

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

PETITION REQUESTING RATE REGULATION Docket WJ-_______ Page 40 of 45

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PETITION REQUESTING RATE REGULATION

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Name:	Phone Number: 541-549-8560
Service Address: 17157 Caddis Ct Sis	Ters Overda 97759
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Mail signed petitions to:

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Exhibit A to Petition
Docket WJPage 42 of 45

PETITION REQUESTING RATE REGULATION

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PETITION (Please Print & Sign, One Per Household)

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Signature	Date
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PUC will keep your information confidential unless required l	by law to disclose your information.
Name:	Phone Number:
Service Address:	
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PETITION (Please Print & Sign, One Per Household)

Name: CAUDE F. NAVE 541-	-549-8755
Service Address: 69120 DAMSEL FLY CT.	
Billing Address (if different):	
E-Mail Address: NAVE 6 BR @ AOL. COM	
Claude F. Vave	10/9/17
Signature	Date
 Check here if you want your information as a petitioner kept confident 	ial.
PUC will keep your information confidential unless required by law to di	sclose your information.
Name: Phone N	umber:
Cay HARWOOD 541.	904-0671
Service Address:	
17010 ROYAL COACHMAN Dr. SISTERS	DR 97759
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Docket WJ-_ PETITION REQUESTING RATE REGULATION

Exhibit A to Petition

Page 44 of 45

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PETITION (Please Print & Sign, One Per Household)

Name: OSCAR PENA	Phone Number: .54/1 588 6/26
Service Address: 16 933 ROYAL COAC	CAMAN DR., SISTERS, OR, 97759
Billing Address (if different):	
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Date

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PETITION (Please Print & Sign, One Per Household) Phone Number: Name: Service Address 01101169 Billing Address (if different): E-Mail Address: Date Signature Check here if you want your information as a petitioner kept confidential. PUC will keep your information confidential unless required by law to disclose your information. Phone Number Name: Service Address: Billing Address (if different): E-Mail Address

Signature

~ Check here if you want your information as a petitioner kept confidential.

PUC will keep your information confidential unless required by law to disclose your information.

Exhibit B

Aspen Lakes Utility Co., LLC 16900 Aspen Lakes Drive Sisters, OR 97759

March 9, 2017

Re: Rate Increase and Notice of Right to Petition

With this letter, you are receiving a formal Notice of Right to Petition for Rate Regulation. Last year, we consulted with the Oregon Public Utility Commission (PUC), the agency that regulates utility rates, regarding possible fee increase notice requirements. At that time, they determined that our rate increase did not require a notice to users because they determined that irrigation was not part of the calculation. They have since reconsidered that position and determined that our water rates now meet the notice requirements for rate increases, which also allows our customers to petition for rate regulation.

The rates for the Aspen Lakes system are higher than some local utilities, but are in line with others. Aspen Lakes serves a relatively small customer base with above normal flows and capabilities. The system includes two wells, which provide a backup and full fire flows. The primary well has a 40 hp variable frequency drive pump that provides 200 gpm variable flow with a constant pressure for domestic use. The second well has a 2,000 gpm pump that is used primarily for filling the pond, but is linked to the domestic system such that it can cover full fire flows or be utilized as a backup when the first pump is off-line for maintenance or repairs.

The system was designed with oversized main lines to allow for fire flows to the homesites. These flows helped the Aspen Lakes development attain an insurance rating of ISO 3. In comparison, the cities of Redmond and Bend are both ISO 4 and Sisters is a 5 (the lower the number the better). Our ISO 3 results in a significant savings in fire insurance costs to every homeowner. However, this additional capability costs more to maintain.

Another consideration for higher than average monthly water bills is the higher than average lot size at Aspen Lakes and larger landscape areas. A typical city lot is roughly 6,000 square feet with only a fraction of that devoted to landscaping. Aspen Lakes lots are 7 times that size and proportionately, much larger landscapes. The state average for water use and rates also includes the wet Willamette Valley which has 4 times the rainfall of Central Oregon and requires much less landscape irrigation. Within Aspen Lakes, there are roughly 20 acres of irrigation just for homeowner landscaping and requires the use of the golf course irrigation system for delivery.

The golf course buys water from the utility, which is delivered to the pond on the #11 hole. This water is then pressurized and distributed throughout the golf course and to the homes through the use of three 100 hp variable frequency drive pumps owned and operated by the golf course. This high capacity pump station is expensive to operate and adds additional pumping costs to the delivery of irrigation water,

which is actually pumped twice ... once from the ground to the pond and then from the pond to the course and homesites. This second pumping cost is why there is a difference in water cost between the homeowner irrigation water and the golf course. The golf course pays for the operation of that pump station.

The water system was built in 1996 and started serving customers at that time. The rates at that time were \$15 for the base rate with no overage fee. The base rate was raised by \$3 to \$18 in 2002 and the overage fee of \$1 per 1,000 gallons was introduced in 2004. In 2016, after 12 years without an increase, the overage price was raised to \$2 per 1,000 gallons. The base price was raised by \$4, from \$18 to \$22 in January of 2017 after 15 years without an increase. Operational costs increase each year and Aspen Lakes Utility has been absorbing those increased costs for many years. The increase is higher than normal because it is long overdue and necessary to play catch up with costs.

Should 20% of our customers petition the PUC for rate regulation, we will be required to incur additional costs for accountants and attorneys to represent us in this expensive process. These additional costs would also be added to the new rates. We believe the rates are reasonable and in-line with the services provided. The old rates do not provide sufficient funds for equipment upgrades such as a state mandated shelter over the pump at Hwy 126, nor does it provide for necessary cash reserve accounts to replace aging equipment or system upgrades such as a generator to prevent loss of pressure during power outages. Given, the makeup of the system and relative low customer base, we believe it is likely that rate regulation by the PUC would result in rate increases that are higher than those currently in place.

If you have any questions, feel free to call me at 541-771-4980.

Sincerely,

Matt Cyrus

Aspen Lakes Utility Co., LLC

NOTICE OF CUSTOMER'S RIGHT TO PETITION FOR RATE REGULATION

March 9, 2017

Aspen Lakes Utility Co., LLC 16900 Aspen Lakes Dr. Sisters, OR 97759

541-549-3660 Business Phone

541-908-6539 Emergency Phone

accounting@aspenlakes.com Email Address

The purpose of this notice is to inform you that the Public Utility Commission of Oregon has determined that **Aspen Lakes Utility Co.**, **LLC** is charging above the **average** monthly service rate of \$45.00 for your water service.

NOTICE FROM THE PUBLIC UTILITY COMMISSION OF OREGON:

Customers have the opportunity to file a petition to have the water utility's rates regulated by the Commission. The water utility is charging rates in excess of the threshold levels set by the Commission. If the Commission receives valid petitions from at least 20 percent of the customers, the Commission will assert jurisdiction over your water utility. Rate regulation requires that all rates and rate changes be approved by the Commission. The Commission will set appropriate cost-based rates. If the Commission does not receive the sufficient number of valid customer petitions, the water utility's current rates will remain in effect.

The water utility will provide a complete customer list (including names and addresses) within 10 days of receiving such a request from any customer. Be aware that Commission-set rates may be above those currently being paid by customers.

Petition forms are available on the Commission's website at: http://www.puc.state.or.us/Pages/Information-for-Customers.aspx. The petitions must be completed and signed by the customer and must be received by the Commission within 45 days of this notice. Copies of petitions or petitions without an original signature will not be accepted.

Completed petitions must be mailed to the Consumer Services Section, PO Box 1088, Salem, Oregon 97308-1088 <u>or</u> delivered to 201 High Street SE, Suite 100, Salem, Oregon 97301. Petitions may not be filed electronically. Petitions may not be withdrawn or rescinded.

Customers with questions may contact the Customer Services Section at 1-800-522-2404.

Exhibit C

From: MUNTZ Charla < charla.muntz@state.or.us>

Date: April 14, 2017 at 11:32:29 AM PDT

To: 'Thomas Thompson' < thompson' < thompson' < thompson17100@gmail.com> **Subject: RE: Aspen Lakes Utility Petition Notice**

Hi Thomas:

I wanted to give you a briefing on where we are at.

In regards to your specific questions, I will respond next week. I will be meeting with our legal counsel to review your concerns.

As of today, the 45 days is in effect. The PUC will need to receive your petition on or before April 24, 2017, in order to be considered. We received the petition notice on March 9, 2017.

I will be in contact with you next week.

Sincerely,

Char Muntz

Sr. Compliance Specialist Consumer Services Oregon Public Utility Commission 800-522-2404|503-378-6600 Charla.muntz@state.or.us

CONFIDENTIALITY NOTICE

This email and any attachments are for the sole use of the intended recipient(s) and contain information that may be confidential and/or legally privileged. If you have received this email in error, please notify the sender by reply email and delete the message. Any disclosure, copying, distribution or use of this communication by someone other than the intended recipient is prohibited.

From: Thomas Thompson [mailto:thompson17100@gmail.com]

Sent: Wednesday, April 5, 2017 3:14 PM
To: MUNTZ Charla < cmuntz@puc.state.or.us >
Subject: Re: Aspen Lakes Utility Petition Notice

Dear Charla,

Thank for the thorough and informative response. And while not the response I was expecting, I think I understand where we stand today. You can understand, I expect, that my personal interest is because my average monthly rate over the past 7 years was \$58, but going forward will be in excess of \$114 per month for the exact same water service. Utility company explanations to date are too vague and general to either explain or justify the doubling of my water rates.

So, a final question or two for you. First, given that the rate increase is "in effect", I presume the Notice's 45-day deadline for delivery of petitions in not operative. That is, since petitions will

Exhibit C to Petition

Docket WJ-___

Page 2 of 4

not put the rate increase is abeyance, the 45-day deadline is irrelevant, and petitions can be delivered at any time. Can you please confirm this? By the way, on what date did the PUC receive the Notice?

Secondly, can you point me a source where one can learn and understand the process if in fact the appropriate number of petitions are received from customers of Aspen Lakes Utility Co.? I'd like to understand the steps and process involved in adopting a utility into the PUC's rate-regulated class, from both the customer and the utility perspective. If there is a public site documenting an actual case, so much the better.

Thank you again,

Tom Thompson

On Mar 30, 2017, at 3:54 PM, MUNTZ Charla < charla.muntz@state.or.us> wrote:

Dear Thomas:

Thank you for your engagement on these issues. I understand that you are concerned that the notice issued by Aspen Lakes on March 9, 2017. There are a few circumstances, as discussed below, that lead to the notice that you and the rest of Aspen Lake's customers received.

First, you are correct that the notice is not identical to the notice in the current version of the Commission's administrative rules, specifically OAR 860-036-1920. You are also correct that the language in the rule contemplates a notice prior to an increase in rates. However, as you are aware, customers were not provided with notice of their right to petition for rate regulation prior to Aspen Lake's January 1, 2017 rate increase. At the time that the Commission Staff determined that Aspen Lakes' rates were over the threshold in its rules, and that customers needed to be informed of their right to petition for rate regulation, the rate increase had already been in place. Therefore, Commission Staff determined that the exact language in the rule, which contemplates notice prior to a rate increase, was not appropriate and would cause confusion.

The underlying purpose of the rule is to provide customers with notice of their right to petition the Commission for rate regulation of the utility if that utility is above the Commission determined threshold, independent of requested rate increases by the utilities. Ideally, customers would be provided with notice in accordance with the language in OAR 860-036-1920 and before the utility goes above the rate threshold, but that is not always possible as is the case here. When notices are not issued prior to rate increases, Staff requests that the Company issue a notice to its customers as soon as possible thereafter, so that customers are aware of their right to petition.

Regarding the insertion of the statement "Be aware that Commission-set rates may be above those currently being paid by customers," Commission Staff has at times requested that the sentence be added so that customers are aware that this is a potential outcome from rate regulation. In Commission Staff's experience, customers are not always aware that this may be the case.

Finally, Aspen Lakes is correct that the new rates implemented remain in effect. Because Aspen Lakes is not currently a rate regulated utility, and the increase happened prior to notice to customers, the Commission has no authority to order the Company to charge different rates pending the potential rate regulation by the Commission.

I hope that this helps to provide you with answers to your questions and concerns. Should you have any additional questions, please let me know.

Char Muntz

Sr. Compliance Specialist
Consumer Services
Oregon Public Utility Commission
800-522-2404|503-378-6600
Charla.muntz@state.or.us

From: Thomas Thompson [mailto:thompson17100@gmail.com]

Sent: Tuesday, March 21, 2017 11:04 AM **To:** MUNTZ Charla < cmuntz@puc.state.or.us>

Cc: Thomas THOMPSON < thompson17100@gmail.com>

Subject: Aspen Lakes Utility Petition Notice

Dear Charla,

As I mentioned in a previous email, I am a water customer of Aspen Lakes Utility Company, LLC (Utility) in Sisters. We received from the Utility, within the last week, a NOTICE OF CUSTOMER'S RIGHT TO PETITION FOR RATE REGULATION (NOTICE), and an accompanying "Letter" from the Utility. A copy is attached for your convenience. I am directing my comments entirely to the NOTICE, as the Letter raises (many) issues other than regulatory compliance.

The NOTICE is deficient and misleading. I respectfully submit that the PUC should require the Utility to correct and re-issue the NOTICE to all customers.

First, the language of the NOTICE is not at all in line with the language of the model Notice in the PUC's Order (OAR 860-036-1920). In fact, rather than notice a "proposed future increase", the Utility's language asserts that increases billed on January 1, 2017 are in effect—unless the required number of petitions are delivered to the PUC.

Second, I also find objectionable the Utility's insertion of the statement "Be aware that Commission-set rates may be above those currently being paid by customers." This is entirely misleading to the reader; it infers that the PUC included that language. This is clearly intended by the Utility to influence—negatively—customer decisions regarding petition submission.

Third, I understood that the Notice requirement was to give Utility customers a chance to properly evaluate the impact of a rate increase. The NOTICE fails to "Show a comparison of the current rates and the proposed rates for each affected customer classes." (2)(e).

Fourth, the Utility NOTICE is clearly contrary to the PUC Rule in that it fails to "State the date when the proposed rates are intended to become effective. The effective date must be at least 60 calendar days from the date of the notice." (2)(f). The Utility is asserting that the rates "implemented" more than 60 days ago are in effect.

I would appreciate the favor of a timely response, as the Utility obvously believes the Petition "clock" is running.

Thank you,

Tom Thompson 17100 Golden Stone Drive Sisters, OR 97759 541-306-0499 (cell)

Exhibit D



Account Name: JOHN R TROIKE

Account Number:

Service Address: 16963 ROYAL COACHMAN DR SISTERS, OR 97759 County: DESCHUTES

Utility Company: ASPEN LAKES UTILITY LLC

Service: WATER Type: RESIDENTIAL

Related to Docket:

Complaint: Failure of Aspen Lakes Utility Company, LLC to timely notify residential customers of its decision to raise water rates in the spirit of keeping with good business practices of fairness and transparency.

Contacted the Company? NO

PUC ACTION: PROVIDE ME WITH INFORMATION (DESCRIBE BELOW)

I would like the Oregon PUC to review the facts surrounding Aspen Lakes Utility Company, LLC's decision to double its charge for overage use of water in excess of 3,000 gallons per quarter in view of the fact that basic water rates have been adjusted over the years and in light of the fact that no notice of proposed rate increase was ever sent to its customers.

I wish to provide some history as to why I believe the Aspen Lakes Utility's operations and billing have been deficient of certain standard practices expected of a company serving the public. In the six years I have lived in Aspen Lakes, there have been a few modest water rate hikes in the base rate which, could represent a

legitimate operating cost of doing business. The company has set a base threshold of water use of 3.000 gallons per quarter, with a \$1 per 1,000 gallons charge for exceeding the base limit. Our water use is divided into two parts, in house residential and outdoor landscape irrigation, the latter of which consumes the vast majority of water consumption during Spring, Summer and Fall. I monitor our use on a monthly basis. I believe Aspen Lakes Utility operations lack transparency. At a recent homeowner meeting, I learned that most if not all irrigation water meters have not been tested for accuracy. The rates we pay are approximately 15 times the rate that the Aspen Lakes Golf course pays for its irrigation using the same water source. Water meter readings are scheduled each quarter. Over the last two years, readings have been delayed well into the following quarter. I have found it very difficult to arrive at an accurate quarterly household use rate. Water bills are untimely and difficult to comprehend, lacking a professional appearance. With easier to read bills and fewer delays, dialog could be improved with less friction. Simply put, many homeowners including myself were surprised to receive the Rate Regulation Petition Notice. Aspen Lakes was first regulated as a one source for water billing. Now, domestic and irrigation are handled on a separate reading basis. I would like better correlation between customer domestic and irrigation use. Better monitoring and compiling of billing records might entail a possible cost to the Company which if necessary could nominally be passed on to the consumer. This whole issue boils down to communications and apparent lack of trust the community has given to the Aspen Lakes Utility Company. The Company's failure to timely notify residents of proposed rate increases along with valid substantiation has alienated me and other customers.

I hope that the Oregon PUC will fairly weigh the interests of all involved and arrive at an equitable solution whereby all participants are fairly served, treated and represented. It is my fervent hope that excess regulation can be avoided and in doing so, the public interest will be served.

Privacy Statement Acknowledged: YES

PETITION REQUESTING RATE REGULATION age 3 of 18

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

	ECE
"nsert Name of Water	er Utility or Association)
E Distriction of the Control of the	Leticity, Lic PUC
FOR ASSOCIATIONS	FOR WATER UTILITIES
Petitioners must be current members.	Petitioners must be current customers.
Petitions may be submitted to the Commission at any time. Petitions will not be accepted by electronic mail. Petitions are in effect for six months from the date PUC receives the petition. Petitions may not be withdrawn or rescinded. Individual member letters may be submitted in lieu of a petition.	 Petitions may be submitted to the Commission when utility raises or proposes to raise rates above thresholds in OAR 860-036-1910. Petitions will not be accepted by electronic mail. The Commission must receive petitions within 45 days from the date PUC receives utility notice of rate increase or proposed rate increase. Petitions may not be withdrawn or rescinded. Individual customer letters may be submitted in lieu of a petition.
PETITION (Please Print 8	k Sign, One Per Household)
Name: John R TROIK	Phone Number: 541-588-6438-
Service Address: Royal C	oachman DR
Billing Address (if different):	The product of the state of the
E-Mail Address: Central Oregan Or	bust@gmail.com
Jahn R. Trai	3/24/2017
Signature	Date
~ Check here if you want your information as a petitior	
PUC will keep your information confidential unless rec	uired by law to disclose your information.
Name:	Phone Number:
Service Address:	
Billing Address (if different):	(K2) (K2) (K2) (K2)
E-Mail Address:	1892 L. 1893 - N
Signature	Date
Check here if you want your information as a petition	ier kept confidential.

Mail signed petitions to:

PUC will keep your information confidential unless required by law to disclose your information.

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088



Options Account Agreement

I agree with and represent to my Broker/Dealer ("you") as follows:

- I understand that my account is carried by National Financial Services LLC ("NFS") and that all terms of this Agreement also apply between me and NFS.
- 2. All transactions shall be subject to the constitutions, rules, regulations, customs and usages of The Options Clearing Corporation and any exchange or other marketplace where executed. In addition, I am aware of, and agree to be bound by, the rules of the Financial Industry Regulatory Authority ("FINRA"), the New York Stock Exchange, Inc. ("NYSE") and The Options Clearing Corporation applicable to option contracts.
- Any securities, cash and money market funds held by you in any of my accounts may be held and used by you as security for the performance of my obligations to you under this agreement.
- 4. In case of my insolvency, death or the attachment of my property, you may, with respect to any open options contract position, take such steps as you may consider necessary or appropriate to protect yourself against loss. All obligations and liabilities arising under this account are joint and several and may be enforced by my Broker/Dealer against any or all account holders.
- 5. I will not enter any order for options until I have received, read and understood the appropriate Options Disclosure Document(s) of The Options Clearing Corporation. I specifically affirm the following disclosures as set forth in said Document(s):
 - A. That both the purchase and the writing of options contracts involve a high degree of risk, are not suitable for many investors and, accordingly, should be entered into only by Investors who understand the nature and extent of their rights and obligations and are fully aware of the inherent risk involved, especially during extreme market volatility or trading volumes.
 - B. That I should not purchase any option unless I am able to sustain a total loss of the premium and transaction costs and (i) that I should not write a call option unless I either own the underlying security (or a security convertible, exchangeable or exercisable into such underlying security) or am able to sustain substantial financial losses and (ii) that I should not write a put option unless I am able to sustain the loss resulting from purchasing the underlying security at the exercise price.
 - C. That the price of an options contract is affected by various factors such as the relationship between the exercise price and the market price of the underlying security, the expiration date of the option and the price fluctuations or other characteristics of the underlying stock.
 - D. That the exchanges or other regulatory bodies may restrict transactions in particular options or the exercise of options contracts in their discretion from time to time.
 - E. That all index option exercises are settled by cash payment and not by the delivery of securities; and that all index option exercises are based on the closing index value and that any "in the money" index options exercised prior to the availability of the closing index value face the risk of closing out of the money due to a subsequent adverse change in the index value.
- 6. I have noted particularly those sections of The Options Clearing Corporation Disclosure Document(s) which summarize the risk factors involved in options trading and I have determined that, in view of my financial situation and investment objectives, options trading is suitable for me. I shall advise you of any changes in my investment objectives, financial situation and needs insofar as such changes are material to my options transactions. The financial and other information listed on this application is accurate.

- 7. The exercise and assignment of options will be subject to the rules of The Options Clearing Corporation and NFS as may be in effect from time to time. I am aware of your requirements and time limitations for accepting instructions from me or my authorized agent with respect to my options positions. Manual exercise by customers: In the event that I fail to instruct you by 4:20 p.m. (ET) on the business day immediately preceding the expiration date to exercise an equity option which is in-the-money by less than \$0.05, or for options expiring on or after June 21, 2008 by less than \$0.01, I hereby agree to waive any and all claims for damage or loss that I might have against you, at the time or any time there after, arising out of the fact that an in-the-money option is not exercised. Automatic exercise by The Options Clearing Corporation: I am aware that I must notify NFS no later than 4:20 p.m. (ET) on the business day immediately preceding the expiration date if I do not want The Options Clearing Corporation to exercise on my behalf an equity option which is "in-the-money" by \$0.05 or more, or for options expiring on or after June 21, 2008 by less than \$0.01, or an index option which is in-the-money by \$0.01 or more. In the event my option contract(s) are exercised, I understand that all resulting positions will be maintained in my account and I must instruct you to close such positions if I wish to do so. If the position(s) that arises from an exercise cannot be maintained (e.g., short stock in a retirement account, no shares available for a short sale, etc.), I understand that you will liquidate the position at my sole risk, for which I shall be charged two commissions. I agree to make full and timely settlement for any underlying security covered by the exercised option contract(s).
- 8. I understand that before writing any option I must have in my account a minimum equity or appropriate position in such amounts as you may specify from time to time, and that no withdrawals of cash or securities will be permitted from the account which would reduce either the equity or position below your requirements. I further understand that any orders to sell any securities held in my account pursuant to such minimum maintenance requirements may be refused by you at your sole discretion, and I shall not hold you liable for any loss that I may sustain due to your refusal to permit the sale of said securities during such period.
- 9. Regarding any margin transactions I may make and supplementing the terms and conditions of my Margin Account Agreement, in the event I do not meet your margin calls promptly, you are authorized in your sole discretion, and without notification to me, to take any and all steps necessary to protect yourself in connection with put or call transactions made for my account, including without limitation the right to buy or sell short, or short exempt, for my account and risk any part or all of the shares represented by options endorsed by you for my account, or to buy, sell or exercise any put or call options as you may deem necessary to fully protect yourself. Any and all losses and expenses, including attorneys' fees, incurred by you in this connection will be reimbursed by me.
- 10. I shall have the sole responsibility to exercise, in a proper and timely manner, any right, privilege or obligation of any put option, call option or other option which you may purchase, handle, endorse or carry for my account(s). You shall not be liable in connection with the execution, handling, selling, purchasing, or endorsing of options for my account.
- 11. I, alone or in concert with others, will not violate the position limits or the exercise limits of the options exchanges and the FINRA or NYSE as set forth in The Options Clearing Corporation Disclosure Document(s).
- 12. I understand and acknowledge that, when transactions on my behalf are to be executed in options traded in more than one marketplace, in the absence of my specific instructions, you may use your discretion in selecting the market in which to enter my orders.

PETITION REQUESTING RATE REGULATION Page 5 of 18

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

Aspen Lakes Utility Co., LLC

FOR ASSOCIATIONS	FOR WATER UTILITIES
 Petitioners must be current members. Petitions may be submitted to the Commission at any time. Petitions will not be accepted by electronic mail. Petitions are in effect for six months from the date PUC receives the petition. Petitions may not be withdrawn or rescinded. Individual member letters may be submitted in lieu of a petition. 	 Petitioners must be current customers. Petitions may be submitted to the Commission when utility raises or proposes to raise rates above thresholds in OAR 860-036-1910. Petitions will not be accepted by electronic mail. The Commission must receive petitions within 45 days from the date PUC receives utility notice of rate increase or proposed rate increase. Petitions may not be withdrawn or rescinded. Individual customer letters may be submitted in lieu of a petition.

PETITION (Please Print & Sign, One Per Household)

Phone Number: 541-549-8755

Service Address, 69120 Damser Fly Ct.	
Billing Address (if different):	111.00
E-Mail Address: navebbr@aol.com	
Claudes F. Vane	3/13/17
Signature	Date
~ Check here if you want your information as a petitioner kept confidential.	
PUC will keep your information confidential unless required by law to disclose	your information.
Name: Phone Number	- 315- 1034
	- 3/5 - 1039
Service Address: 69110 Damse Fly Ct.	
Billing Address (in different): 20082 mes A Az	2 85277
E-Mail Address: Chubb 15 e msn. lom	
Chuco Shy	3/13/17
Signature	Date

Mail signed petitions to:

PUC will keep your information confidential unless required by law to disclose your information.

~ Check here if you want your information as a petitioner kept confidential.

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

Name: Claude F. Nave

APR26'17Exhibit D to Petition II Docket WJ-Page 6 of 18

PETITION REQUESTING RATE REGUL

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS	FOR WATER UTILITIES
 Petitioners must be current members. Petitions may be submitted to the Commission at any time. Petitions will not be accepted by electronic mail. Petitions are in effect for six months from the date PUC receives the petition. Petitions may not be withdrawn or rescinded. Individual member letters may be submitted in lieu of a petition. 	 Petitioners must be current customers. Petitions may be submitted to the Commission when utility raises or proposes to raise rates above thresholds in OAR 860-036-1910. Petitions will not be accepted by electronic mail. The Commission must receive petitions within 45 days from the date PUC receives utility notice of rate increase or proposed rate increase. Petitions may not be withdrawn or rescinded. Individual customer letters may be submitted in lieu of a petition.

PETITION (Please Print & Sign, One Per Household)

Name: Thomas & Diedra THOMPSON	Phone Number: 541-588-6029
Service Address: 17100 Golden Stone Drive, Siste	ers, OR 97759
Billing Address (if different):	5
E-Mail Address: thompson17100@gmail.com	
Thomas Thom	4/22/2017
Signature	Date
~ Check here if you want your information as a petiti	
PUC will keep your information confidential unless re	equired by law to disclose your information.

Name:	Phone Number:
Service Address:	
Billing Address (if different):	
E-Mail Address:	
Signature	Date

Mail signed petitions to:

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

PETITION REQUESTING RATE REGULATION Page 7 of 18

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

Aspen Lakes Utility Co

(Insert Name of Water Utility or Association)

FOR ASSOCIATIONS FOR WATER UTILITIES Petitioners must be current members. Petitioners must be current customers. · Petitions may be submitted to the Commission at Petitions may be submitted to the Commission when any time. utility raises or proposes to raise rates above · Petitions will not be accepted by electronic mail. thresholds in OAR 860-036-1910. ·Petitions are in effect for six months from the date · Petitions will not be accepted by electronic mail. ·PUC receives the petition. • The Commission must receive petitions within · Petitions may not be withdrawn or rescinded. 45 days from the date PUC receives utility notice · Individual member letters may be submitted in lieu of rate increase or proposed rate increase. of a petition. · Petitions may not be withdrawn or rescinded. · Individual customer letters may be submitted in lieu of a petition.

PETITION (Please Print & Sign, One Per Household)

Phone Number:

16975 Green Drake Ct.	315ters, Or, 97759			
Billing Address (if different):				
Billing Address (if different): POBOX 1/7 Sisters, Ore E-Mail Address:	97759			
	4/21/17			
Signature	Date			
 Check here if you want your information as a petitioner kep 				
PUC will keep your information confidential unless required by law to disclose your information.				
Name:	Phone Number:			
Service Address:				
Billing Address (if different):	8			
E-Mail Address: Fade @ bend broad band.	com			
1 / 15 a m				
Signature	Date			
~ Check here if you want your information as a petitioner kep				
PUC will keep your information confidential unless required b	y law to disclose your information.			
Mail element mattle				

Mail signed petitions to:

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

Name:

PETITION REQUESTING RATE REGULATION Page 8 of 18

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

Aspen Lakes Utility Co

FOR WATER UTILITIES FOR ASSOCIATIONS Petitioners must be current members. Petitioners must be current customers. · Petitions may be submitted to the Commission at · Petitions may be submitted to the Commission when utility raises or proposes to raise rates above · Petitions will not be accepted by electronic mail. thresholds in OAR 860-036-1910. · Petitions are in effect for six months from the date Petitions will not be accepted by electronic mail. · PUC receives the petition. The Commission must receive petitions within - Petitions may not be withdrawn or rescinded. 45 days from the date PUC receives utility notice · Individual member letters may be submitted in lieu of rate increase or proposed rate increase. of a petition. Petitions may not be withdrawn or rescinded. · Individual customer letters may be submitted in lieu of a petition.

PETITION (Please Print & Sign, One Per Household)

Service Address.		الأستأثر
Billing Address (if diffe	erent):	
E-Mail Address		
		4/20/17
, ,	Signature	Date
	ant your information as a petitioner	
PUC will keep your in	formation confidential unless require	red by law to disclose your information.
NI nen n		
Name:	•	
Service Address:		
	<u> </u>	
Billing Address (if diff	erent):	v
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1.	Signature	- Date
	ant your information as a petitioner	
PUC will keep your in	formation confidential unless require	red by law to disclose your information.

Mail signed petitions to:

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

Name:

PETITION REQUESTING RATE REGULATION 18

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

	ELEU
16900 Aspen Lakes Dr. Sisters, OR 97759	r Utility or Association) MAR 29 2017 P.U.C.
FÓR ASSOCIATIONS	FOR WATER UTILITIES
 Petitioners must be current members. Petitions may be submitted to the Commission at any time. Petitions will not be accepted by electronic mail. Petitions are in effect for six months from the date PUC receives the petition. Petitions may not be withdrawn or rescinded. Individual member letters may be submitted in lieu of a petition. 	 Petitioners must be current customers. Petitions may be submitted to the Commission when utility raises or proposes to raise rates above thresholds in OAR 860-036-1910. Petitions will not be accepted by electronic mail. The Commission must receive petitions within 45 days from the date PUC receives utility notice of rate increase or proposed rate increase. Petitions may not be withdrawn or rescinded. Individual customer letters may be submitted in lieu of a petition.

PETITION (Please Print & Sign, One Per Household)

Phone Number

Name:

Service Address:					
Billing Address (if differen	t):		,	ř.	
E-Mail Address:					
			1	Mar 27, 20	7/7
7	Signature	-		Date	
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Mail signed petitions to:

PUC will keep your information confidential unless required by law to disclose your information.

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

PETITION REQUESTING RATE REGULATION age 10 of 18

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

Aspen Lakes Utility Co. LLC

FOR ASSOCIATIONS FOR WATER UTILITIES Petitioners must be current members. · Petitioners must be current customers. · Petitions may be submitted to the Commission at · Petitions may be submitted to the Commission when any time. utility raises or proposes to raise rates above Petitions will not be accepted by electronic mail. thresholds in OAR 860-036-1910. · Petitions are in effect for six months from the date · Petitions will not be accepted by electronic mail. · PUC receives the petition. · The Commission must receive petitions within · Petitions may not be withdrawn or rescinded. 45 days from the date PUC receives utility notice · Individual member letters may be submitted in lieu of rate increase or proposed rate increase. of a petition. · Petitions may not be withdrawn or rescinded. · Individual customer letters may be submitted in lieu of a petition.

PETITION (Please Print & Sign, One Per Household)

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Mail signed petitions to:

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

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Exhibit D to Petition APR24117 Ar Docket WJ-2010

PETITION REQUESTING RATE REGULA Plage 11 of 18

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

(Aspen Lakes Utility Co., LLC)

FOR ASSOCIATIONS FOR WATER UTILITIES · Petitioners must be current members. Petitioners must be current customers. · Petitions may be submitted to the Commission at · Petitions may be submitted to the Commission when any time. utility raises or proposes to raise rates above · Petitions will not be accepted by electronic mail. thresholds in OAR 860-036-1910. · Petitions are in effect for six months from the date · Petitions will not be accepted by electronic mail. · PUC receives the petition. • The Commission must receive petitions within · Petitions may not be withdrawn or rescinded. 45 days from the date PUC receives utility notice · Individual member letters may be submitted in lieu of rate increase or proposed rate increase. of a petition. · Petitions may not be withdrawn or rescinded. · Individual customer letters may be submitted in lieu of a petition.

PETITION (Please Print & Sign, One Per Household)

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Mail signed petitions to:

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

Name: SCOTT LAMOREAUX

Service Address: 16951 LADY CAROLINE DRIVE

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

FOR ASSOCIATIONS	FOR WATER UTILITIES
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Mail signed petitions to:

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AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

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Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

PETITION REQUESTING RATE REGULATION Petition 10 Docket WJ_Docket W

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

aspen lakes utility company, llc

FOR WATER UTILITIES FOR ASSOCIATIONS Petitioners must be current members. · Petitioners must be current customers. · Petitions may be submitted to the Commission at · Petitions may be submitted to the Commission when utility raises or proposes to raise rates above any time. · Petitions will not be accepted by electronic mail. thresholds in OAR 860-036-1910. · Petitions are in effect for six months from the date · Petitions will not be accepted by electronic mail. •PUC receives the petition. · The Commission must receive petitions within · Petitions may not be withdrawn or rescinded. 45 days from the date PUC receives utility notice · Individual member letters may be submitted in lieu of rate increase or proposed rate increase. of a petition. · Petitions may not be withdrawn or rescinded. · Individual customer letters may be submitted in lieu of a petition.

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Mail signed petitions to:

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

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PETITION REQUESTING RATE REGULATION age 15 of 18

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

ASPEN LAKES UTILITY COMPANY, LLC

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PETITION (Please Print & Sign, One Per Household)

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PETITION REQUESTING RATE REGULATION Page 16 of 18

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

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ASPEN LAKES UTILITY COMPANY, LLC

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Mail signed petitions to:

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

PETITION REQUESTING RATE REGULATION Page 17 of 18

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

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ASPEN LAKES UTILITY COMPANY, LLC

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PUC will keep your information confidential unless required by law to disclose your information.

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Signature

Check here if you want your information as a petitioner kept confidential.

Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

Name:

PETITION REQUESTING RATE REGULATION September 18 of 18

AS PROVIDED IN ORS 757.061(6)(b) & 757.063, THE UNDERSIGNED REQUEST THE PUBLIC UTILITY COMMISSION OF OREGON ASSERT RATE REGULATION OVER

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Oregon Public Utility Commission, Consumer Services Section, PO Box 1088, Salem OR 97308-1088

Exhibit E



June 30, 2017

PETITIONER 17100 GOLDEN STONE DR SISTERS OR 97759 Public Utility Commission 201 High St SE Suite 100 Salem, OR 97301-3398 Mailing Address PO Box 1088 Salem, OR 97308-1088 Consumer Services 503-378-6600 1-800-522-2404 Email

puc.consumer@state.or.us

RE: Petitions for Aspen Lakes Utility

Thank you for your petition regarding the potential rate regulation of Aspen Lakes Utility (Aspen Lakes).

Oregon Administrative Rule 860-036-1920(2)(h) states, "The petitions must be completed and signed by the customer and must be received by the Commission within 45 days of [the] notice."

Aspen Lakes Water mailed notices to customers on March 9, 2017, and the due date for petitions was April 24, 2017. Due to some confusion regarding the recent administrative rule change, the due date for petitions was extended to May 1, 2017.

The Commission did not receive a sufficient number of petitions before the due date to assert rate jurisdiction over Aspen Lakes.

Pursuant to Oregon Administrative Rule 860-036-1910, customers will have another opportunity to petition for rate regulation the next time that Aspen Lakes proposes to increase rates beyond Commission-established thresholds.

Sincerely,

Stephanie Yamada

Exteriorie yamada

Utility Analyst

Telecommunications and Water Division

Oregon Public Utility Commission

(503) 378-5201

Stephanie.Yamada@state.or.us

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing document by mailing a copy properly addressed with first class postage prepaid to the following:

Aspen Lakes Utility Company Matt Cyrus 17204 Hwy 126 Sisters, OR 97759 Commission Staff c/o Sommer Moser Oregon Department of Justice 1162 Court St NE Salem, OR 97301

Dated in Portland, Oregon this 26th day of January 2018.

Respectfully submitted,

Tommy A. Brooks, OSB No.076071 Chad M. Stokes, OSB No. 004007

Cable Huston LLP

1001 SW Fifth Ave., Suite 2000

Portland, OR 97204-1136 Telephone: (503) 224-3092 Facsimile: (503) 224-3176

E-Mail: tbrooks@cablehuston.com

cstokes@cablehuston.com

Of Attorneys for Petitioner