

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1818

COLUMBIA BASIN ELECTRIC
COOPERATIVE, INC.,

Complainant,

vs.

UMATILLA ELECTRIC COOPERATIVE,

Defendant.

Regarding Willow Creek Dairy

MEMORANDUM

This is a complaint proceeding between two utility providers, but involves the operations of Willow Creek Dairy, otherwise known as the Lost Creek Farm. Since briefing in this docket concluded on December 22, 2017, the Commission has learned through various media sources that the owner of that dairy has declared bankruptcy, farm operations have been placed in trusteeship, and a sale of the farm is planned.¹

I invite Columbia Basin Electric Cooperative, Inc., as complainant to this case, to file a status report in this matter by February 15, 2019. Columbia Basin Electric Cooperative, Inc., should confer with Umatilla Electric Cooperative prior to the filing. Given the potentially changed circumstances underlying the basis of this complaint, I note that Columbia Basin Electric Cooperative, Inc., has the following options that include but are not limited to filing:

- A notice of withdrawal or request to dismiss the complaint due to the lack of an existing justiciable controversy for the Commission to resolve.
- A request to supplement the record to incorporate relevant facts that have occurred after the conclusion of the briefing schedule in this proceeding on December 22, 2017.
- A request to hold this matter in abeyance until such time as events fully unfold regarding the near-term status of the property in question in this proceeding, and the operations of the current or future property holder are known.

¹ Tracy Loew, *Oregon objects to megadairy sale because it lacks adequate manure cleanup*, The Salem Statesman Journal, (Jan 10, 2019). The contents of this article and the facts alleged within are not noticed at this time and are not in evidence in this proceeding; instead they are referenced in the context of any possible procedural action Columbia Basin Electric Cooperative, Inc., may wish to take in this docket.

This request for a status update should in no way indicate prejudgment of the above outlined options. All parties will have the opportunity to review and respond to any formal procedural motion made by the complainant subsequent to this request.

Dated this 15th day of January, 2019, at Salem, Oregon.



Nolan Moser
Administrative Law Judge