



Oregon

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September 28, 2012

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OREGON PUBLIC UTILITY COMMISSION
ATTENTION: FILING CENTER
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**RE: Docket No. UW 149 – In the Matter of CROOKED RIVER RANCH WATER COMPANY
Request for a General Rate Revision.**

Enclosed for electronic filing in the above-captioned docket is Staff's Testimony in Support of the Stipulation in Docket UW 149.

/s/ Kay Barnes

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c: UW 149 Service List (parties)

**PUBLIC UTILITY COMMISSION
OF OREGON**

UW 149

**STAFF TESTIMONY
OF**

KATHY WILLIS

**In the Matter of
CROOKED RIVER RANCH WATER COMPANY
Request for a General Rate Revision.**

September 28, 2012

CASE: UW 149
WITNESS: Kathy Willis

**PUBLIC UTILITY COMMISSION
OF
OREGON**

STAFF EXHIBIT 100

Testimony in Support of the Stipulation

September 28, 2012

Q. PLEASE STATE YOUR NAME, OCCUPATION, AND BUSINESS ADDRESS.

A. My name is Kathy Willis. I am the Senior Water Utility Analyst in the Economic Research and Financial Analysis Division of the Utility Program for the Public Utility Commission (Commission). My business address is 550 Capitol Street NE Suite 215, Salem, Oregon, 97301-2551.

Q. PLEASE DESCRIBE YOUR WORK EXPERIENCE AT THE OREGON PUBLIC UTILITY COMMISSION.

A. I have been with the Public Utility Commission of Oregon (Commission) since 1987 and have participated in over 100 water utility dockets involving rate filings, finance applications, property dispositions, exclusive service territories, adequacy of service investigations, water and wastewater rulemakings, formal complaints, and affiliated interest matters.

Q. WHAT IS THE PURPOSE OF STAFF'S TESTIMONY?

A. The purpose of Staff's testimony is to introduce and support the stipulation agreed to by the parties in Docket UW 149.

Q. WHO ARE THE PARTIES TO THE STIPULATION?

A. The parties are Crooked River Ranch Water Company (CRRWC), appearing by and through its attorney Tommy Brooks; Staff, appearing by and through its attorney Jason Jones; and Intervenor Steven Cook and Barbara Oakley (Intervenor) collectively referred to as the "Parties."

Q. DID YOU PREPARE AN EXHIBIT FOR THIS DOCKET?

A. Yes. I prepared Exhibit Staff/101, consisting of 12 pages:

Revenue Requirement	Staff/101, Willis/1
Staff Adjustments	Staff/101, Willis/2
Revenue Sensitive Costs	Staff/101, Willis/3
Plant and Depreciation	Staff/101, Willis/4-9
Stipulated Rates	Staff/101, Willis/10
Stipulated Rates Impact	Staff/101, Willis/11
Stipulated Rates Impact Graph	Staff/101, Willis/12

Q. HOW IS YOUR TESTIMONY ORGANIZED?

A. My testimony is organized as follows:

Issue 1, Staff's Summary Recommendation	2
Issue 2, CRRWC Description and Regulatory History	3
Issue 3, CRRWC's Application for a Rate Increase	8
Issue 4, Staff Analysis of CRRWC's Application and Adjustments	12
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ISSUE 1, STAFF'S SUMMARY RECOMMENDATION**Q. BRIEFLY SUMMARIZE STAFF'S RECOMMENDATION.**

A. Staff recommends that the Commission adopt the stipulation agreed to by the Parties. The Parties stipulated to a revenue requirement of \$577,793 resulting in a 1.0 percent increase over adjusted test year revenue, a rate base of \$541,052 with a zero percent rate of return. The table below summarizes certain line item totals from CRRWC's test year revenue requirement as filed; Staff's adjusted test year revenue, expenses, rate base; CRRWC's proposed revenue requirement; and the Stipulation revenue requirement:

Table 1 – Revenue Requirement Details

	CRRWC Test Year As Filed	Staff Adjusted Test Year	CRRWC Proposed	Stipulated Amounts
Revenues	590,324	572,348	652,819	577,793
Operating Expenses	563,636	518,863	592,173	518,877
Total Deductions	575,444		652,632	577,793
Net Income	14,880		187	0

ISSUE 2, CRRWC DESCRIPTION AND REGULATORY HISTORY**Q. PLEASE DESCRIBE CRRWC.**

A. Crooked River Ranch Water Company (CRRWC or Company) is a non-profit, mutual benefit corporation with members, with the Company commonly referred to as an association. CRRWC provides water service to approximately 1,505 customers at Crooked River Ranch (CRR), Oregon. CRR is an unincorporated private resort community in southern Jefferson County with a small portion of the ranch in north Deschutes County. The 12,000-acre ranch has a population of approximately 5,000 and is located between the Deschutes River and the Crooked River near the south end of Lake Billy Chinook. It is west of U.S. Route 97 between Culver and Terrebonne.

Q. PLEASE DESCRIBE CRRWC'S REGULATORY HISTORY.

A. CRRWC is currently under the jurisdiction of the Public Utility Commission (Commission) pursuant to Commission Order No. 11-060 entered in Dockets WJ8, UW 120, UI 281, UI 282, and UCR 100 on February 18, 2011. The Commission has conducted several investigations of CRRWC over the years, including jurisdictional, customer complaints, affiliated interest, and rate issues as listed below:

UM 1036	No jurisdiction asserted, Order No. 03-116, issued February 13, 2003.
WJ 8	Jurisdiction by customer petitions.
UW 120	Rate investigation.
UI 281	Affiliated interest application with James Rooks.
UI 282	Affiliated interest application with Jacquie Rooks.
UCR 100	Refusal of service and connection charge complaints.
UW 149	Current rate case.

Each case previous to the current rate case, UW 149, presented contentious, difficult, and unique issues that revolved around CRRWC's former Board of Directors (Board), management, and employees. Eventually, a group of CRRWC customers filed a civil lawsuit against CRRWC that resulted in a complete change in CRRWC's Board, management, and employees. The issues surrounding the old Board, management, and employees were resolved.

In the following narrative of CRRWC's regulatory history, please note that some dockets were active for prolonged periods of time and overlapped each other. To avoid confusion, Staff will be referring to the "old Board" and the "new Board." The new Board took over operations and management in November 2010.

Docket WJ 8

In April 2006, under the old Board, over 20 percent of the customers petitioned the Commission for regulation of CRRWC's rate and service. The petitions were prompted by customer dissatisfaction with the old Board's management of the Company and its poor customer service. On May 24, 2006, CRRWC requested a hearing to dispute the petition. At the hearing, held on August 8, 2006, CRRWC argued that it was exempt from Commission regulation because

it had reorganized as a cooperative on July 5, 2006. After the hearing and legal briefs, the Commission found the customer petitions valid and asserted jurisdiction. The Commission held that CRRWC's attempt to reorganize as a cooperative was without legal effect. Order No. 06-642 was entered November 20, 2006.

CRRWC appealed the Commission's decision to the Oregon Court of Appeals (Court). The Court upheld the Commission's finding that it had received the sufficient number of petitions with valid signatures to meet the 20 percent threshold under ORS 757.063(1). The Court further concluded that the Commission erred in finding that its jurisdiction first became effective when the Commission had confirmed and verified its receipt of the threshold number of petitions with valid signatures. The Court held that, " . . . in light of the text, context, and legislative history of ORS 757.063, the legislature intended an association to be 'subject to regulation' only after the PUC issues an order pursuant to ORS 756.515 determining whether the 20 percent threshold had been satisfied." The Court remanded this matter to the Commission to ". . . complete the process contemplated by its notice in light of a correct interpretation of ORS 757.063."¹

On July 13, 2010, in a matter presented to the Jefferson County Circuit Court, the cooperative corporate status of CRRWC was rejected. CRRWC abandoned its cooperative position.

¹ Commission Order No. 11-060, dated February 18, 2011.

Following the ruling in the Jefferson County Circuit Court, a partial settlement was reached. The Jefferson County Circuit Court approved the partial settlement in a "Limited Judgment" entered August 23, 2010. The partial settlement required a "fair" election for a new Board of directors. The election voted in a new Board. The new Board reversed the course taken by the old Board and previous management. The new Board solicited Commission regulation, and the Commission found sufficient grounds to reassert jurisdiction in Order No. 11-060 issued February 18, 2011.

Docket UW 120

As a result of the jurisdiction WJ 8 docket, the old Board was required to file a rate case. CRRWC filed its first rate case on April 23, 2007, which was docketed UW 120. In its application, CRRWC requested an increase in revenues of 8.13 percent. The Commission issued Order No. 07-527 on November 29, 2007, approving an interim rate reduction of 37.7 percent and eliminating a monthly special assessment to the customers. During the Court of Appeals stay of Commission jurisdiction, CRRWC's old Board raised the customers' rates.

Under UW 120, Order No. 08-177 entered March 24, 2008, required, in part, that CRRWC distribute \$118,028 of the assessment fund to the current members. In Order No. 08-181, entered on March 28, 2008, the Commission granted a stay in the distribution of the assessment funds. On May 2, 2008, the Commission issued Order No. 08-243, reordering the distribution of the assessment fund balance of \$130,656.26, to be returned to CRRWC current

members. All of these orders were subsequently vacated by Order No. 11-060 on February 18, 2011, when the Commission reasserted jurisdiction and released the special assessment fund back to CRRWC's new Board.

The Commission determined that CRRWC's financial condition should be resolved before setting final rates. The Company and Staff filed a Joint Financial Statement on May 16, 2011, setting forth the plan for resolving the Company's financial situation. The Commission approved the Joint Financial Statement in Order No. 11-181, issued June 1, 2011. The customer rates were allowed to remain as set by the old Board at a higher level in order to help CRRWC pay off legal expense associated with previous litigation. In addition, CRRWC was required to file a general rate case by February 18, 2012.

UCR 100

UCR 100 was a formal customer complaint. The Commission issued Order Nos. 08-379 and 08-383 entered on July 17, 2008, ordering CRRWC to connect a residential customer and to collect a specified connection charge. CRRWC appealed these orders to the Court of Appeals, arguing that the Commission had no jurisdiction to order the customer connected or to set the connection charge. After the required election, the new Board dismissed the Company's appeal of the orders. The customer has been connected and is receiving service. The matter of the connection charge was resolved. The two orders were also vacated by Order No. 11-060.

Dockets UI 281 and UI 282

In Dockets UI 281 and UI 282, the Commission approved the affiliated interest applications of James Rooks and Jacquie Rooks (employees of CRRWC).

See Order Nos. 08-347, 08-375, 08-353, and 08-378. However, since these two individuals are no longer employed by CRRWC, the applications are moot, and the cases were vacated by Order No. 11-060.

ISSUE 3, CRRWC'S APPLICATION FOR A RATE INCREASE**Q. PLEASE DESCRIBE CRRWC'S CURRENT APPLICATION FOR A RATE INCREASE.**

A. In compliance with Commission Order No. 11-181, CRRWC's new Board and management filed an application for a rate increase on February 15, 2012, using a January 1, 2011 to December 31, 2011 test year. CRRWC proposed an overall increase of 10.6 percent² or \$62,495³ increase over test period revenues of \$590,324, resulting in an annual revenue requirement of \$652,819. The Company proposed a total rate base of \$709,491 with a zero percent rate of return.

Q. WHAT REASONS DID THE COMPANY GIVE FOR SEEKING A RATE INCREASE?

A. CRRWC stated in its application that it is seeking the change in rates because:

The current Board of directors took over in November of 2010.

Before that time there was no PUC Regulation. The company

² The Company's application shows a 13.16 percent increase; however, Staff calculated the percentage increase to be 10.6 percent.

³ The Company's application shows an increase of \$75,928; however, Staff calculated the increase at \$62,495.

has now been under the PUC for 1 year and wants to be sure the rates are correct. In addition, the rate increase is necessary to cover administrative, operation, maintenance, and repair expenses and provide capital for improvements.

Q. WHY IS CRRWC ASKING FOR A ZERO PERCENT RATE OF RETURN?

A. CRRWC's application states that it is seeking a zero percent return on rate base due to the Company status as a nonprofit organization.

Q. WHAT ARE CRRWC'S CURRENT RATES?

A. CRRWC currently provides service to residential, commercial, and multi-unit dwelling customers; water haulers; and the Crooked River Ranch Homeowners Association (HOA). Although the community has a golf course, CRRWC does not provide irrigation water to the golf course. The current customer classes and rates are shown below:

Table 2 – CRRWC's Current Rates

	CURRENT	Base Rate	Commodity Rate
1	Residential/Commercial	\$25.20 per meter + 300 cf	\$0.80 per 100 cf
2	HOA Irrigation	\$25.20 per meter + 300 cf	\$0.80 per 100 cf
3	Nonprofit Multi-Metered	\$25.20 per meter + 300 cf	\$0.80 per 100 cf
4	Multi-Family Dwelling Unit	\$25.20 per meter + 300 cf	\$0.80 per 100 cf
5	Temporary Community Event	\$25.20 per meter + 300 cf	\$0.80 per 100 cf
6	Water Haulers	\$25.20 per meter + 300 cf	\$0.80 per 100 cf

CRRWC currently charges all customers a base rate of \$25.20, which includes 300 cubic feet (cf) of water usage and a commodity rate of \$0.80 per each 100 cf of water consumed above 300 cf. According to CRRWC, the average annual monthly bill is \$29.54.

Q. WHAT WERE CRRWC'S PROPOSED RATES AND TARIFFS IN ITS INITIAL FILING?

A. CRRWC proposed the following rates and tariffs as listed below:

Table 3 – CRRWC's Proposed Rates

	PROPOSED	Base Rate	Commodity Rate
1	Residential/Commercial	\$25.08 per meter	\$0.90 per 100 cf
2	HOA Irrigation	none	\$0.96 per 100 cf
3	Nonprofit Multi-Metered	\$25.08 1st meter only	\$0.96 per 100 cf
4	Multi-Family Dwelling Unit	\$25.08 per meter	\$0.90 per 100 cf
5	Temporary Community Event	none	\$0.96 per 100 cf
6	Water Haulers	none	\$0.96 per 100 cf

1. A residential/commercial metered tariff base rate of \$25.08 and a commodity rate of \$0.90 per 100 cf of water use. The Company proposed removing the 300 cf of water allowed with the current base rate;
2. An irrigation rate tariff for Crooked River Ranch Homeowners Association (HOA) with a commodity rate of \$0.96 per each 100 cf of water use and no base rate. CRRWC believes that since the HOA has irrigation rights to 4.4 acres of water, permit No. G-2280 from the Oregon Water Resources Department, it should receive a reduced rate;
3. A nonprofit multi-metered customer tariff for the HOA with a base rate of \$25.08 for the first meter only and a commodity rate of \$0.96 per 100 cf of water used. The HOA has multiple meters;
4. A multi-family dwelling unit tariff with a base rate of \$25.08 and a commodity rate of \$0.90 per 100 cf of water use. This is the same rate as No. 1 above;

- 1 5. A temporary water service for community sponsored events tariff with a
- 2 commodity rate of \$0.96 per 100 cf of water use, with no base rate;
- 3 6. A water haulers tariff with a commodity rate of \$0.96 per 100 cf of water use,
- 4 with no base rate;
- 5 7. A cross connection control program and backflow prevention device service
- 6 tariff;
- 7 8. A commodity power cost adjustment tariff;
- 8 9. A miscellaneous service charges tariff; and
- 9 10. CRRWC's rules and regulations.

10 **Q. WHAT PROCEDURAL ACTIONS IN THIS DOCKET HAVE TAKEN PLACE**

11 **SINCE CRRWC FILED ITS APPLICATION FOR A RATE INCREASE?**

12 A. Since the filing of the application in February 2012, the following procedural

13 actions have taken place:

- 14 1. An open house and prehearing conference were held on April 5, 2012, in
- 15 Crooked River Ranch, Oregon;
- 16 2. A workshop was held in Crooked River Ranch, Oregon, on June 26, 2012;
- 17 and
- 18 3. A settlement conference was held in Crooked River Ranch, Oregon, on
- 19 July 30, 2012.

20 **Q. WHAT WAS THE RESULT OF THE SETTLEMENT CONFERENCE?**

21 A. The Parties reached a settlement of all issues in the case.

22

ISSUE 4, STAFF'S ANALYSIS OF CRRWC'S APPLICATION AND
STAFF ADJUSTMENTS

Q. PLEASE EXPLAIN THE PURPOSE OF THIS PORTION OF TESTIMONY.

A. This portion of testimony provides a foundation of support for the Stipulation. It essentially adopts Staff's findings and recommendations except where expressly identified.

Q. PLEASE EXPLAIN WHY A RETURN ON RATE BASE IS NOT
APPROPRIATE FOR CRRWC.

A. CRRWC requested and Staff recommended no return on CRRWC's rate base because the utility is a nonprofit, mutual benefit association with members. All customers of CRRWC are members, and CRRWC is owned by the membership. The members benefit from CRRWC's nonprofit status.

In two previous rate cases filed by nonprofit associations, Angler's Cove (UW 126) and Old Sheep Ranch (UW 129), the Commission approved a zero percent return on rate base due to the nonprofit status of the associations, Orders Nos. 08-389 and 08-514, respectively.

Q. HOW DOES A NONPROFIT ASSOCIATION ACQUIRE CAPITAL TO FUND
MAJOR REPAIRS, EMERGENCIES, OR IMPROVEMENTS WITHOUT AN
OPPORTUNITY TO EARN A RETURN ON RATE BASE?

A. In UW 126 and UW 129, the Commission approved a "System Program Fund" for each nonprofit association. The System Program Fund is a reserve account to collect funds set aside for major repairs, emergencies, and capital improvements.

1 Investor-owned water companies are allowed an opportunity to earn a return
2 of and on their investments in order to obtain necessary capital. In Order 07-527
3 (UW 120) at 28, the Commission stated, "In the typical case, we balance the
4 interests of ratepayers and investors in setting the return on equity at a rate that
5 is: a) commensurate with the return on investments in other enterprises having
6 corresponding risks; and b) sufficient to ensure confidence in the financial
7 integrity of the utility, allowing the utility to maintain its credit and attract capital
8 (ORS 756.040)."⁴

9 By contrast, nonprofit organizations are not allowed a return on their
10 investments. When referring to nonprofit organizations, Commission
11 Order No. 07-527 goes on to state:

12 *In this case, the owners are not "investors" in that they receive*
13 *no return on their investment that can be reclaimed. As a*
14 *result, we find that the interest of the customer/owners is best*
15 *served by setting the return on their capital at zero.*

16 *With no long-term debt and the zero return on capital, the*
17 *adopted rate of return is zero. This is the most favorable*
18 *outcome for the customer/owners and is unique to this case.*⁵

19 Therefore, another means of raising capital must be allowed for nonprofit
20 water systems in order to generate reserve funds to buffer the cost of major
21 repairs and provide for capital expenditures. Small water systems, whether for

⁴ Commission Order No. 07-257, dated February 29, 2007.

⁵ Id.

1 profit or nonprofit, must have a means of obtaining capital due to the capital
2 intensive nature of the infrastructure.

3 In addition to these sources, due to the difficulty of most small water systems
4 to attract capital, ORS 757.355(2) allows the Commission to include in rates
5 costs for specific capital improvements that are not presently used and useful.

6 **Q. WHAT DOES STAFF RECOMMEND AS A MEANS FOR CRRWC TO**
7 **OBTAIN CAPITAL FOR MAJOR REPAIRS, EMERGENCIES, AND CAPITAL**
8 **IMPROVEMENTS?**

9 A. Staff recommends the Commission approve a System Program Fund for
10 CRRWC. CRRWC calls its System Program Fund a "Contingency Fund."
11 Regardless of the name of the fund, it is a reserve fund. Hereafter, Staff will
12 refer to CRRWC's reserve fund as the Contingency Fund. CRRWC's current
13 Contingency Fund has a balance of \$70,000.

14 The "Operating Reserve Policy Toolkit for Nonprofit Organizations"
15 recommends at a minimum, a reserve fund for nonprofit organizations of three
16 months of the organization's annual expense budget.⁶ The publication went
17 on to identify revenue and spending risk factors for nonprofit organizations.
18 The more risk factors, the greater the need for a higher reserve fund, such as
19 increasing the minimum reserve fund from three to six months of annual
20 expenses.

⁶ Operating Reserve Policy Toolkit for Nonprofit Organizations, First Edition, September 15, 2010, sponsored by the National Center for Charitable Statistics, Center on Nonprofit and Philanthropy at the Urban Institute, and United Way Worldwide, page 16-17.

1 Staff reviewed the risks and identified a majority of the risk factors
2 applicable to CRRWC. Based on the applicable risk factors, Staff believes
3 the optimum benchmark for CRRWC's reserve account should be at least six
4 months of the annual operating expenses or \$259,438.

5 In addition, Staff recommends the Commission approve an annual expense to
6 help build the Contingency Fund to meet the optimum reserve for the water
7 system.

8 **Q. PLEASE EXPLAIN CRRWC'S "ASSESSMENT FUND."**

9 A. CRRWC's Assessment Fund is a collection of customer surcharges put in place
10 by CRRWC's old Board. The fund was identified in UW 120 and the surcharge
11 was removed. The Assessment Fund has a current balance of \$93,577.

12 **Q. PLEASE EXPLAIN HOW CRRWC'S ASSESSMENT FUND SHOULD BE**
13 **TREATED.**

14 A. Staff recommends that CRRWC's Assessment Fund balance be transferred to
15 CRRWC's Contingency Fund, creating one reserve account for CRRWC to
16 manage. By combining the Assessment Fund balance of \$93,577 with the
17 Contingency Fund's current balance of \$70,000; it results in a balance of
18 \$163,577. The difference between the proposed balance of the combined
19 Contingency Fund and Staff's recommended optimum \$259,438 Contingency
20 Fund level is \$95,861.

21 The combined Contingency Fund use would be limited to repairs,
22 emergencies, and capital expenditures. However, since working cash is a

1 component of rate base, and it is not included in CRRWC's rates,⁷ \$43,240 of
2 the Contingency Fund may be used as working cash for providing a cash flow
3 to accommodate the lead/lag time issue of receiving revenues and paying bills.
4 Working cash is a calculation of one month of annual operating expenses.

5 Staff recommends the Commission require CRRWC to report its annual
6 expenditures from the Contingency Fund to the Commission in line item format
7 showing the date, supplier, amount, and a brief description of the expenditure.
8 Staff also recommends the Commission require CRRWC to annually report its
9 monthly expenditures from the working cash component of the Contingency Fund
10 separately. The reported information is to be attached to CRRWC's annual
11 report.

12 The capital expenditures from the Contingency Fund will be considered as
13 Contributions In Aid of Construction (CIAC) in future rate cases and will be
14 disallowed in rate base as the costs have been paid for up front by the
15 customers.

16 **Q. PLEASE EXPLAIN WHAT CIAC IS, AND WHY IT IS NOT ALLOWED IN**
17 **RATE BASE.**

18 A. The Internal Revenue Service defines CIAC as any item or amount of money,
19 services, or property received by a utility that is provided at no cost to the utility.
20 It represents an addition or transfer to the capital of the utility, and is utilized to

⁷ In ratemaking, working cash is a component of rate base that would normally earn a return. Because CRRWC has a zero percent rate of return, the Company does not earn a return on its working cash.

1 offset the acquisition, improvement, or construction costs of the utility's property,
2 facilities, or equipment used to provide utility services to the public.

3 **Q. IS IT STANDARD PRACTICE TO REMOVE CIAC FROM RATE BASE?**

4 A. Yes. Oregon Administrative Rule 860-036-0756(3) specifically requires that
5 CIAC be separated from utility plant and accounted for and depreciated on
6 a separate schedule outside the ratemaking process.

7 **Q. PLEASE DESCRIBE STAFF'S ADJUSTMENTS TO CRRWC'S TEST**
8 **PERIOD REVENUES.**

9 A. Staff's proposed adjustments to CRRWC's test period revenues are:

- 10 1. Staff reduced water sales by customer reimbursements and removed the
11 reimbursements as a negative to revenues, and
12 2. Staff removed pass through costs that should not be included in revenues.

13 The effect of Staff's adjustments to test period revenues reduced CRRWC's
14 filed test year revenue from \$590,324 to \$572,348.

15 **Q. PLEASE DESCRIBE STAFF'S MAJOR ADJUSTMENTS TO CRRWC'S TEST**
16 **PERIOD EXPENSES.**

17 A. The majority of Staff's adjustments are the result of transferring expenses to their
18 appropriate accounts. A summary of Staff's adjustments is shown in Staff/101,
19 Willis/2. Below are Staff's more significant adjustments.

- 20 1. Wages: CRRWC requested an annual expense of \$160,315 with a \$97,590
21 test year expense. The test year expense was low because the full
22 complement of staff at CRRWC did not work the entire 2011 year.
23 Employees were brought on during the year. Staff adjusted wages to reflect

1 the current number of employees' annual cost, including a \$5,000 raise to the
2 manager, as approved by the new Board.

3 CRRWC asked for wages expense based on 2,180 annual hours per
4 employee. On a weekly basis, this equates to 41.92 hours per week per
5 employee. Staff has adjusted the annual hours to 2,080, which equates to
6 40 hours per week per employee. This is the standard work week in the
7 United States. CRRWC pays employees every second week (as opposed
8 to bi-monthly), which affects the specific number of weeks in any given year.
9 The rate case process is used to determine the expenses in a typical year,
10 and the average numbers of weeks in a typical year are 52. Staff
11 recommended a total annual wage expense of \$159,840.

12 2. Benefits: In its application, CRRWC did not seek employee benefits. As
13 the case progressed, the new Board approved a resolution to provide an
14 additional four percent of wages to employees as benefits. The benefits are
15 schedule to take effect in January 2013. Staff recommended a total annual
16 employee benefits expense of \$6,394 or four percent of wages.

17 3. Debt Service Expense: Since CRRWC does not receive a return on its
18 investment, Staff moved the annual payments for two vehicle loans to an
19 annual expense. Although Staff could have allowed CRRWC a return on
20 debt, it appeared simpler and more accurate to establish a debt service
21 account. Staff has requested that CRRWC be required to file a rate case to
22 coincide with the completion of the two loans. Staff recommended a total
23 annual debt service expense of \$11,446.

1 4. Telecommunications: CRRWC requested an annual expense of \$13,200 with
2 a test year expense of \$18,799. As CRRWC's new Board began setting up
3 its communication equipment during 2011, several communication contracts
4 were executed and later terminated. Staff made adjustments to reflect the
5 three-year amortization of the one-time fees. Staff recommended a total
6 annual telecommunication expense of \$9,329.

7 5. Office Supplies, Repairs, and O&M: Most of Staff's adjustments were to move
8 the line items in and out of these three accounts to record them in the proper
9 account. A few line items were capitalized and moved to Utility Plant. In
10 the table below, Staff shows the Company's proposed annual expense, the
11 Company's test year expense, and Staff's proposed annual expense. The
12 totals of the three accounts show that although Staff moved line items in and
13 out of the three accounts, Staff's total proposed annual expense exceeds
14 CRRWC's proposed annual expense. This is because line items were also
15 removed from other accounts and recorded in one of these three accounts,
16 and CRRWC provided verifiable invoices and receipts for amounts greater
17 than its original proposed annual expense. The table below shows CRRWC's
18 proposed expenses, CRRWC's test year expenses, and Staff's recommended
19 annual expenses for the three accounts.

Table 4 – Office Supply, O&M, and Repairs Accounts

Account	CRRWC Proposed	CRRWC Test Year	Staff Proposed
Office Supply	\$6,188	\$5,601	\$19,824
O&M	\$30,000	\$3,877	\$14,023
Repairs	\$7,000	\$6,717	\$19,197
TOTALS	\$43,188	\$16,195	\$53,044

6. Legal Expense: CRRWC requested \$40,000 in annual legal expense with a test year expense of \$155,961. During 2011, the majority of legal expense was related to litigation brought about by the old Board and old management. Pursuant to the Joint Financial Statement filed by CRRWC and Staff, CRRWC was permitted to keep rates higher than it would normally be allowed in order to give the Company excess revenue to pay off litigation fees. The Joint Financial Statement approved by the Commission in Order No.11-181, states, "Part 3 of the plan provides that 'Crooked River' will continue to charge its current rates as establish by the Company until filing a general rate case application."

Staff found \$18,900 in CRRWC's 2011 legal fees that did not appear to be associated with the previous litigation. Staff amortized these legal fees over three years and added \$2,000 for ongoing legal fees. Staff recommended a total annual legal expense of \$6,725.

7. Contract Services-Labor: CRRWC requested an annual expense of \$18,759 with a test year annual expense for the same amount. CRRWC provided documentation verifying \$55,585 in expense. However, Staff disallowed most

of the line items since they had already been recorded in other accounts. The remaining items Staff capitalized or relocated them to either O&M or Repairs. Staff's adjustments resulted in a zero annual expense to this account.

8. Contract-Labor Other: CRRWC requested \$500 in annual expense with a test year expense of \$34,742. At CRRWC's request, Staff made a negative adjustment of (\$34,742) bringing the account to zero. Staff did not object to the Company's request. Staff recommended a zero annual expense to this account.

9. Contract Services-Professional: CRRWC requested a total annual expense of \$6,500, with a test year expense of \$15,396. Staff adjustments included three-year amortizations of expenses associated with Global Spatial Intelligence, an electronics contract that was later terminated. In addition, Staff capitalized one line item and moved another line item to Office Supplies. Staff recommended an annual contract services-other expense of \$3,094.

10. Double Check Valve Assembly (DCVA) Installation Program: CRRWC requested a \$70,000 annual expense with a \$0.0 test year expense for a 10-year cross connection control device installation plan. Staff disallowed the total \$70,000 annual expense for the program for reasons described below. Staff recommended a zero annual expense to this account.

Q. PLEASE EXPLAIN WHAT A DCVA IS AND WHY IT IS NECESSARY.

A. DCVA stands for Double Check Valve Assembly, which is a type of back-flow prevention device. The DCVA protects a water system's supply from cross

1 connection contamination resulting from back pressure or back siphonage
2 through the customers' water facilities.

3 The Oregon Health Authority, Drinking Water Section (DWS) requires water
4 systems to implement a Cross Control Prevention Program. DWS rules require
5 the water utility to identify customers with potential cross connection hazards
6 and require a protection device be installed. The standard of what presents a
7 potential hazard is determined by each water system. The water system must
8 notify each customer with a potential cross connection hazard that a protection
9 device must be installed, maintained, repaired or replaced when necessary, and
10 the customer is responsible for all required testing. This does not preclude the
11 water system from offering these services.

12 **Q. PLEASE DESCRIBE CRRWC'S CROSS CONNECTION PROTECTION**
13 **POLICY.**

14 A. CRRWC has determined that all connections represent a potential health hazard
15 to the water supply and requires all customers to have a DCVA installed on their
16 service lines. It is unreasonable for CRRWC to require all customers to install
17 DCVAs at the same time; therefore, CRRWC proposes to systematically notify
18 the customer of the DCVA requirement over a 10-year period. CRRWC currently
19 has 400 customers who have already installed and paid for their DCVAs.

20 **Q. PLEASE DESCRIBE CRRWC'S PROPOSED DCVA INSTALLATION**
21 **PROGRAM.**

22 A. CRRWC proposed a \$70,000 annual expense to provide for the systematic
23 installation of DCVAs on 120 customer lines per year for 10 years. The capital

1 project is intended to complete all remaining DCVA installations at a total cost of
2 \$700,000. The project would be funded through rates and CRRWC would own
3 all DCVAs it installs.

4 **Q. WHAT IS STAFF'S RECOMMENDATION SINCE STAFF'S ADJUSTMENT**
5 **TO CRRWC'S DCVA INSTALLATION PROGRAM DISALLOWED THE**
6 **ENTIRE EXPENSE?**

7 A. Staff believes that CRRWC can achieve the same result it is seeking in its
8 proposed DCVA Installation Program through a separate tariff. Rather than
9 expensing the capital project and including the cost in rates, which would be
10 charged to all customers over the next 10 years, Staff's proposal would have
11 the customers pay directly for their DCVAs purchase and installation.

12 DWS rules require that a customer is free to employ whomever they choose
13 to install the protection device. Therefore, if CRRWC is going to provide
14 installation service, it must offer the customers a choice whether to use its
15 service or not.

16 **Q. PLEASE EXPLAIN STAFF'S DECISION TO REJECT CRRWC'S DCVA**
17 **INSTALLATION PLAN AND REPLACE IT WITH A TARIFF WHERE**
18 **CUSTOMERS PAY UP FRONT FOR THE DCVA INSTALLATION.**

19 A. If a rate-regulated investor-owned water utility were to install DCVAs for all
20 customers, the cost would be recorded above-the-line in the water utility's plant.
21 When the water utility files a rate case, the new plant would be included in rate
22 base and the water utility is given an opportunity to earn a return of and on its
23 investment.

1 Under CRRWC's proposed plan, CRRWC would realize no benefit from
2 investing funds to pay for the DCVAs and associated costs due to its nonprofit
3 status. CRRWC would not have the opportunity to earn a return on the
4 investment; therefore, it is more reasonable for CRRWC to require its customers
5 to pay up front.

6 CRRWC proposed putting the cost of the DCVA Installation Program into
7 expenses; thus, all customers would pay the program's cost through rates. This
8 would be unfair to the 400 customers that already installed their DCVAs and to
9 the customers who choose to purchase and install a DCVA themselves. Staff
10 believes a DCVA Installation Program tariff where the customer is charged for
11 the cost to purchase and install the DCVA is better suited to CRRWC's nonprofit
12 status.

13 **Q. HOW WOULD STAFF'S PROPOSED DCVA TARIFF WORK?**

14 A. Staff's proposed tariff would have CRRWC offer the DCVA Installation Program
15 to customers through an Opt-Out tariff. CRRWC would systematically notify
16 customers of the DCVA requirement. The customer can then choose to use
17 CRRWC's DCVA Installation Program or not. The customer is under no
18 obligation to use CRRWC's service. If the customer does not want CRRWC to
19 purchase and install the DCVA, the customer must sign the opt-out form and
20 return it to CRRWC within 30 days of receipt of the notice.

21 Otherwise, CRRWC will install a DCVA in the customer's meter box and bill
22 the customer at CRRWC's cost. The labor will be done by CRRWC employees
23 that have been trained and certified to install and test DCVAs. CRRWC has

1 confirmed to Staff that it has the work force to accommodate the installations
2 within employee wages; therefore, the labor is not billed to the customer.

3 When CRRWC installs a customer's DCVA, the customer is agreeing to
4 donate the DCVA to CRRWC as CIAC. The DCVA becomes the property of
5 CRRWC. As such, CRRWC will be responsible for the DCVA maintenance,
6 repair or replacement, and will conduct all required testing.

7 **Q. WHAT HAPPENS TO THE CUSTOMER WHO CHOOSES TO OPT OUT OF**
8 **STAFF'S PROPOSED DCVA INSTALLATION PROGRAM TARIFF?**

9 A. If a customer signs the DCVA Installation Program opt-out form and returns it to
10 CRRWC as required, the customer must install a DCVA within 60 days of
11 receiving CRRWC's DCVA requirement notice. The customer can contract with
12 whoever is qualified to install the DCVA. By so doing, ownership of the DCVA
13 remains with the customer; thus, the customer is responsible for the
14 maintenance, repair, replacement, and testing as required by law. The customer
15 is required to annually submit its DCVA information and testing results to
16 CRRWC.

17 **Q. DOES STAFF HAVE ANYTHING ELSE TO ADD CONCERNING DCVAS?**

18 A. Yes, CRRWC proposed an opt-out tariff for DCVA Maintenance, Repair, and
19 Testing Services (Services) for all customers. However, because CRRWC will
20 own (through customer donation) the DCVAs CRRWC installs, Staff believes it is
21 CRRWC's responsibility to then maintain, repair, replace, and test the DCVAs.
22 Therefore, Staff recommends that CRRWC's DCVA Maintenance, Repair, and

1 Testing Services be offered only to those customers who opt out of the DCVA
2 Installation Program or own their own DCVAs.

3 Under the DCVA Maintenance, Repair, and Testing Services agreement, a
4 customer who owns a DCVA would automatically be enrolled in this service
5 unless the customer signs the opt-out form and returns it to CRRWC as required.
6 If CRRWC does not receive an opt out form, CRRWC will provide the annual
7 maintenance, repair, and testing services for the customer (but not the
8 replacement), for a direct charge of either \$2.76 per month or an annual charge
9 of \$33.12, separately identified on the customer's bill. The customer may choose
10 the method of payment.

11 CRRWC's proposed DCVA Maintenance, Repair, and Testing Services is
12 modeled after Avion Water Company's (Avion) Cross Connection Control
13 Program Tariff previously approved by the Commission. Avion offers its
14 customers backflow prevention device testing, maintenance, and repair services
15 on an opt out basis. The customer is under no obligation to use Avion's services
16 and is free have another service provider perform the service.

17 Staff recommends the Commission approve CRRWC's DCVA Maintenance,
18 Repair, and Testing Services tariff with Staff's modifications.

19 **Q. GIVEN STAFF'S RECOMMENDATION THAT CUSTOMERS PAY FOR**
20 **THEIR DCVAS, WHAT IS STAFF'S RECOMMENDATION CONCERNING**
21 **WHO PAYS FOR WATER METERS?**

22 A. Staff recommends that the cost of the water meter be included in CRRWC's
23 service connection charge paid by the customer. A water meter is required on

1 every customer connection to measure the customer's usage and determine the
2 monthly bill. Replacement and repair of the meter is the responsibility of the
3 Company.

4 **Q. WATER METERS ARE NORMALLY PAID FOR BY THE UTILITY. WHY IS**
5 **STAFF RECOMMENDING THAT CRRWC'S CUSTOMERS PAY FOR THE**
6 **WATER METERS?**

7 A. Typically, a utility pays for customer water meters because the cost is included in
8 rate base, giving the utility an opportunity to earn a return of and on its
9 investment. As previously discussed, CRRWC is a nonprofit association and is
10 not allowed to earn a return on its investment. In recommending that the
11 customer pay for meters, Staff applied the same reasoning as described above
12 regarding DCVAs.

13 In addition, prior to being regulated, CRRWC's customer water meters were
14 paid for by the customers and accounted for in CIAC. It is equitable and
15 consistent to have CRRWC's customers continue to pay for their water meters
16 and the Company to record the cost in CIAC.

17 In a similar situation, Old Sheep Ranch Water Association (UW 129) had
18 charged its customers for the cost of water meters prior to regulation. The
19 Commission allowed the inclusion of the meter cost in the service connection
20 charge due to the nonprofit status of the association and to continue the
21 equitable practice for future customers.

**Q. DOES THE STIPULATION INCLUDE THE COMPANY'S REQUEST FOR AN
AUTOMATIC POWER COST ADJUSTMENT CLAUSE?**

A. No. CRRWC is not contesting Staff's analysis that concluded a power cost adjustment clause was not necessary because:

1. CRRWC's purchased power was less than 12.05 percent of its total operating cost in 2011;
2. Automatic adjustment clauses are generally used for things that are consistent and regular, which Pacific Power rate cases are not;
3. A potential rate increase could be offset by lower usage (wet year). If Pacific Power receives a rate increase, it is likely to only have a minimal effect on CRRWC's revenue requirement;
4. Avion has a Commission approved automatic power cost adjustment clause; however, it was approved years ago during the energy crises that caused the rolling blackouts in California and circumstances in the present are not similar. Avion has never had to charge customers a non-zero tariff rate; and
5. Staff accounted for power cost increases by escalating the annual power expense by 2.28 percent.

Q. DID STAFF MAKE ANY ADJUSTMENTS TO CRRWC'S UTILITY PLANT?

A. Staff thoroughly investigated CRRWC's utility plant records, bringing the Company's plant and depreciation up to date. Staff also moved appropriate capital expenditures from expenses to utility plant and removed CIAC, including CIAC determined in UW 120.

ISSUE 5, RATE SPREAD AND RATE DESIGN**Q. PLEASE DESCRIBE STAFF'S RECOMMENDED REVENUE SPLIT
BETWEEN THE BASE RATE AND THE COMMODITY RATE.**

A. Staff generally allocates the revenue requirement at 60 percent to the base rate and 40 percent to the commodity rate in typical water rate cases. In CRRWC's case, Staff recommended a 63.09 percent allocation of revenue to the base rate and a 36.91 percent allocation to the commodity rates. This rate design reflects the high seasonality of customer usage, which occurs much more heavily in the summer months than in the winter. The rate design allows CRRWC to recover sufficient revenues in the winter months to pay their expenses. The rate design also encourages conservation by removing the allotment of 300 cf from the base rate.

Q. PLEASE DESCRIBE STAFF'S RECOMMENDED RATE DESIGN.

A. Staff recommends a simple rate design composed of three customer classes:
1) Metered Customers, 2) Temporary Event, and 3) Water Haulers.

1. METERED CUSTOMERS

Staff proposed a Metered Customer class that includes all residential, commercial, multi-family units, HOA irrigation, and nonprofit-multi-metered customers. This classification does not include water haulers and temporary community events.

The HOA irrigation should be included in the Metered Customer classification because although the HOA has water rights to the water in CRRWC's well; it should participate in the cost of the transmission of the

1 water from the well to the HOA. It does not cost less for CRRWC to provide
2 the irrigation water to the HOA than it does the other Metered Customers.

3 **2. TEMPORARY/EVENT**

4 Staff proposed a temporary community event tariff be offered that does not
5 include a base rate.

6 **3. WATER HAULERS**

7 Staff proposed a water haulers tariff be offered that does not include a base
8 rate.

9 **Q. PLEASE DESCRIBE STAFF'S CONCLUSION REGARDING THE SPECIAL**
10 **RATE PROPOSED BY CRRWC FOR THE NONPROFIT MULTI-METERED**
11 **CUSTOMER.**

12 A. Staff recommends that the HOA be included in the Metered Customer
13 classification. As such, the base rate would apply to the HOA's additional
14 meters. The nonprofit status of the HOA has no affect on the cost of delivering
15 water to the HOA's meters. There is no difference in the cost of delivery of
16 water to the HOA than to the other Metered Customers.

17 In addition, in UW 136 and UW 151, the Commission approved water base
18 rates to Charbonneau Water Company's nonprofit homeowner associations
19 (customers) on all installed meters. See Commission Orders No. 10-061 and
20 Order No. 12-340, respectively.

21 **Q. PLEASE DESCRIBE HOW STAFF DETERMINED THE APPROPRIATE RATE**
22 **DESIGN.**

1 A. Staff's recommended rate design was crafted keeping the following principles
2 in mind:

- 3 1. Reducing the base rate and increasing the variable rate encourages
4 conservation;
- 5 2. Introducing a two-tiered increasing block rate also encourages conservation;
- 6 3. Having a high ratio of base rate to variable rate reflects the high degree of
7 seasonal usage and allows CRRWC to pay its expenses during the low
8 usage winter months;
- 9 4. Having a high tier threshold of 6,000 cf causes a lesser impact on high
10 usage customers than a lower threshold would cause; and
- 11 5. Having a relatively small cost difference between the two tiers results in a
12 lesser impact to high usage customers, yet still sends a price signal.

13 **Q. PLEASE DESCRIBE HOW STAFF DETERMINED THE APPROPRIATE**
14 **BASE RATES.**

15 A. The principle consideration in determining the appropriate base rate was
16 ensuring that CRRWC would generate enough revenues during the low usage
17 winter months to cover its expenses.

18 CRRWC felt strongly that each customer should pay the base rate
19 regardless of the meter size. CRRWC informed Staff that the differential in
20 meter sizes ranged from 3/4 by 5/8 inch to approximately 2 inches. According
21 to CRRWC, not all meters were sized appropriately for each service. If various
22 base rates were to be imposed based on meter size, it is highly probable that
23 customers with larger meters would request CRRWC install a smaller meter

1 based on the justification that the meter was not originally properly sized. The
2 cost of replacement would fall on CRRWC.

3 Generally, Staff uses the American Water Works Associations (AWWA)
4 standard capacity factors⁸ to help determine base rates. In lieu of using the
5 AWWA capacity factors, Staff recommends a single base rate for all meter
6 sizes and a two-tiered, increasing block commodity rate.

7 **Q. PLEASE DESCRIBE HOW STAFF DETERMINED THE COMMODITY**
8 **RATE.**

9 A. The primary goal of Staff in proposing a two-tiered, increasing block commodity
10 rate is to implement a rate design that encourages conservation. Staff
11 designed the rates so the typical water user would not be significantly affected
12 by the second tier, but high-end users would pay a higher rate for using a
13 greater proportion of water. Using a high initial threshold and a small cost
14 differential between the tiers would allow customers to become accustomed to
15 a two-tier billing system without a significant rate impact on the customers'
16 monthly water bills.

17 Staff proposed a 6,000 cf threshold based on customer usage trends over
18 the past three years. Although this threshold may appear high compared to
19 thresholds set in other water cases, it takes into account that there are currently
20 no constraints on the water supply. Staff used consumption data from 2011, as

⁸ The AWWA capacity factors are based on the percentage relationship of the maximum rate of use to the average rate of use. The capacity factors recognize the particular service requirements for total volume of water and peak rates of use. This is especially important when the capacity of the water supply is limited. However, CRRWC verified that there are no current constraints upon its water system.

1 adjusted to remove obvious outlier data that indicated a billing or meter reading
2 error, to calculate tier one and tier two rates to ensure the revenue generated
3 would meet the revenue requirement.

4 Staff proposed a first tier commodity rate of \$0.90 per 100 cf up to 6,000 cf
5 per month. The second tier commodity rate proposed by Staff is \$1.00 per 100
6 cf charged for usage above 6,000 cf per month.

7 **ISSUE 6, THE STIPULATION**

8 **Q. PLEASE EXPLAIN THE STIPULATED REVENUE REQUIREMENT.**

9 A. The Parties agreed to and support the following:

- 10 1. The Parties agreed that it is reasonable that CRRWC share the income
11 generated by the cell towers with the HOA. The cell towers are located on
12 CRRWC's reservoir, but the reservoir is located on HOA property. The
13 HOA does not charge CRRWC a rental fee for use of the land. The Parties
14 agreed to and support that the cell tower income be allocated at 50 percent
15 to the HOA and 50 percent to CRRWC.
- 16 2. The Parties agreed to and support an annual legal expense of \$12,000.
17 (The \$18,900 in 2011 legal expenses Staff recommended be amortized over
18 three years is not included as a component of the \$12,000 annual legal
19 expense.)
- 20 3. The Parties agreed to and support an annual transportation expense of
21 \$8,713.
- 22 4. The Parties agreed to and support an annual Repairs expense of \$22,000.

1 5. The Parties agreed to and support an annual Contingency Fund expense of
2 \$20,000. CRRWC provided documentation that its 20-year master plan
3 estimates total build out of 2000 customers with additional infrastructure to
4 cost approximately \$3.5 million. This will also help CRRWC to achieve and
5 maintain an optimal reserve.

6 **Q. WHAT WAS THE EFFECT OF THE STIPULATED CHANGES TO THE**
7 **REVENUE REQUIREMENT?**

8 A. The stipulated changes increased the Company's proposed annual revenue
9 requirement, resulting in a one percent increase to CRRWC's adjusted test
10 year revenues. The stipulated revenue requirement also increased CRRWC's
11 rate base from \$538,785 to \$541,052. The rate of return on rate base
12 remained at zero percent.

13 **Q. DID CRRWC AND THE INTERVENORS AGREE TO STAFF PROPOSED**
14 **RATE SPREAD AND RATE DESIGN?**

15 A. Yes. Although the stipulated changes to the revenue requirement changed the
16 actual rates, Staff's recommended rate spread and rate design are agreed to
17 and supported by the Parties with the following change. The Parties stipulated
18 to a revenue requirement allocation of 72.50 percent to the base rate and 27.50
19 percent revenue allocated to the commodity rate. Staff/101Willis/10, 11, and 12
20 show the stipulated rates, rate design, and rate impact on customers. The
21 stipulated rates are summarized in the table below:
22

Table 6 –Stipulated Rates

	Customer Class	Base Rate (per meter)	Commodity Rate up to 6,000 cf (per 100 cf)	Commodity Rate over 6,000 cf (per 100 cf)
1	Residential/Commercial	\$23.00	\$0.83	\$0.93
2	HOA Irrigation	\$23.00	\$0.83	\$0.93
3	Nonprofit Multi-Metered	\$23.00	\$0.83	\$0.93
4	Multi-Family Dwelling Unit	\$23.00	\$0.83	\$0.93
5	Temporary Community Event	none	\$0.93	\$0.93
6	Water Haulers	none	\$0.93	\$0.93

The stipulated monthly rates for metered customers are a base rate of \$23 with a two-tiered, increasing block commodity rate. The first tier commodity rate is \$0.83 per 100 cf up to 6,000 cf per month. The second tier commodity rate is \$0.93 per 100 cf charged for usage above 6,000 cf.

Q. DOES THE MONTHLY BASE RATE OF \$23.00 ENSURE THAT THE REVENUE GENERATED WILL MEET THE LOW USAGE WINTER MONTHS' EXPENSES?

A. Yes. The Parties reviewed CRRWC's revenue requirement expenses to estimate the minimum amount of revenue necessary to meet CRRWC's monthly expenses and agreed on approximately \$39,000. The Parties agreed that a base rate of \$23.00 per customer per month satisfied CRRWC's low usage winter months' expense needs.

Q. PLEASE EXPLAIN THE IMPACT OF STAFF'S RATE DESIGN UPON CUSTOMERS.

A. The impact of Staff's recommended rates is shown in Staff/101, Willis/11 and 12. As indicated in the exhibit, the monthly bill will actually decrease a small percentage compared to previous rates if the customer uses less than 300 cf

1 of water in a given month. Customers who use more than 300 cf will have
2 their monthly bill increase by a greater percentage the more water they use.
3 A customer using 5,000 cf will pay a three percent higher bill under the
4 stipulated rates, and a customer using 10,000 cf will pay a seven percent
5 increase.

6 **Q. DID ALL THE PARTIES AGREE TO AND SUPPORT THE RATES**
7 **RESULTING FROM THE STIPULATION?**

8 A. Yes.

9 **Q. DID THE PARTIES AGREE TO AND SUPPORT AN EFFECTIVE DATE FOR**
10 **THE NEW RATES?**

11 A. Yes. The Parties agree to and support the rates being effective for service
12 rendered on and after December 21, 2012.

13 **Q. DID ALL THE PARTIES AGREE TO AND SUPPORT THE STIPULATION IN**
14 **RESOLUTION OF ALL ISSUES IN THE CASE?**

15 A. Yes.

16 **Q. DID THE PARTIES STIPULATE TO ANY CONDITIONS?**

17 A. Yes. The Parties agreed to and support the following conditions:

- 18 1. CRRWC will file a rate case with the Commission on or before January 5,
19 2016.
- 20 2. Within 30 days of the date of the order approving the Stipulation, CRRWC is
21 required to transfer its Assessment Fund balance into the Contingency Fund,
22 creating one reserve account to be dedicated to repairs, improvements, and
23 emergencies with the following exception: \$43,240 may be used as working

1 cash. Working cash may be used to buffer the time difference between the
2 receiving of revenues and the payment of expenses.

3 3. CRRWC will provide to the Commission on an annual basis a report listing
4 all Contingency Fund yearly expenditures in line items format showing the
5 date, the supplier, the amount, and a description of the item or project. In
6 addition, CRRWC will annually provide to the Commission a report indicating
7 the working cash component used by CRRWC for each month of the
8 preceding year, broken out separately from the Contingency Fund
9 expenditure listing referred to above. Both reports are to be attached to and
10 filed with CRRWC's annual report.

11 **Q. ARE THE RESULTING RATES FAIR AND REASONABLE?**

12 A. Yes.

13 **Q. WHAT IS STAFF'S RECOMMENDATION?**

14 A. Staff recommends the Commission receive the Stipulation into the UW 149
15 record and adopt the Stipulation in its entirety. Staff also recommends the
16 Commission order CRRWC to comply with the Stipulation's recommended
17 conditions.

18 **Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

19 A. Yes.

Crooked River Ranch Water Company
DOCKET NO. UW 149
Test Year: 2011

Company Case
10.6%

Staff
1.0%

Acct. No.		A Balance Per Application Test Year: 2011	B Proposed Company Adjustments	C Adjusted Results (A+B=C)	D Proposed Staff Adjustments	E Adjusted Results (A+D=E)	F Staff Proposed Rev Changes	G Proposed Results (E+F=G)
1	461.1	REVENUES						
		Residential Water Sales	569,425	74,944	644,369	567,780	5,444	573,224
2		Reimbursements	(1,645)	513	(1,132)	0	0	0
3		Cell Tower Income	9,810	(4,641)	5,169	4,568	0	4,568
4		Labor	185	41	226	0	0	0
5	471	Misc. Revenues	2,303	187	2,490	0	0	0
6		Connections	10,246	(8,549)	1,697	0	0	0
7		TOTAL REVENUE	590,324	62,495	652,819	572,348	5,445	577,793
8				652,819	(17,977)	572,348		577,792
9		OPERATING EXPENSES						
10	601	Salaries and Wages - Employees	97,590	62,725	160,315	159,840		159,840
11		Utilities (Garbage)	0	0	0	1,034	1,034	1,034
12	604	Employee Pension & Benefits	(3,384)	3,384	0	6,394		6,394
13		Debt Service Exp	0	0	0	11,446		11,446
14	611	Telephone/Communications	18,799	(5,599)	13,200	9,329		9,329
15	615	Purchased Power	67,917	6,791	74,708	71,218		71,218
16		Contingency Fund	0	6,000	6,000	20,000		20,000
17	619	Office Supplies	5,601	587	6,188	19,824		19,824
18	619.1	Postage	7,257	243	7,500	7,704		7,704
19	620	O&M Materials/Supplies	3,877	26,123	30,000	14,023		14,023
20	621	Repairs to Water Plant	6,717	283	7,000	22,000		22,000
21	631	Contract Svcs - Engineering	29	5,971	6,000	6,137		6,137
22	632	Contract Svcs - Accounting	5,000	0	5,000	4,372		4,372
23	633	Contract Svcs - Legal	155,961	(115,961)	40,000	12,000		12,000
24	634	Contract Svcs - Management Fees	40,758	1,242	42,000	42,000		42,000
25	635	Contract Svcs - Testing	8,336	(5,454)	2,882	3,961		3,961
26	636	Contract Svcs - Labor	18,759	0	18,759	0		0
27		Contract Svcs - Janitorial	5,098	1,952	7,050	7,057		7,057
28	638	Contract Svcs - Meter Reading	19,321	4,879	24,200	24,562		24,562
29	639	Contract Svcs - Other	34,742	(34,242)	500	0		0
30		Contract - Labor Professional	15,396	(8,896)	6,500	3,094		3,094
31	642	Rental of Equipment	102	9,898	10,000	2,838		2,838
32	643	Small Tools	3,639	0	3,639	2,919		2,919
33	648	Computer/Electronic Expenses	17,907	(3,423)	14,484	13,072		13,072
34	650	Transportation	13,137	(3,287)	9,850	8,713		8,713
35	656	Vehicle Insurance	4,918	922	5,840	3,927		3,927
36	657	General Liability Insurance	5,430	(3,270)	2,160	3,699		3,699
37	658	Workers' Comp Insurance	(154)	1,654	1,500	1,473		1,473
38	659	Insurance - Other	1,566	(16)	1,550	1,532		1,532
39	660	Public Relations/Advertising	438	(238)	200	342		342
40	666	Amortz. of Rate Case			0	3,464		3,464
41	667	Gross Revenue Fee (PUC)	0	(34)	(34)	1,431	14	1,444
42		DCVA Program Expense Account	0	6,400	6,400	22,981		22,981
43		DCVA Installation/Capital Expenditure	0	70,000	70,000	0		0
44		Water Survey	1,011	189	1,200	400		400
45		Locates	192	0	192	128		128
46	673	Training and Certification	299	891	1,190	1,559		1,559
47	674	Consumer Confidence Report	0	200	200	359		359
48	675	General Expense	7,377	(1,377)	6,000	4,030		4,030
49		TOTAL OPERATING EXPENSE	563,636	28,537	592,173	518,863	14	518,877
50				592,173	(44,773)	518,863		518,877
51		OTHER REVENUE DEDUCTIONS						
52	403	Depreciation Expense	0	42,467	42,467	40,841		40,841
53	407	Amortization Expense	0	0	0	0		0
54	408.11	Property Tax	542	58	600	542		542
55	408.12	Payroll Tax	10,424	6,126	16,550	17,112		17,112
56	408	Cell Tower Property Tax	842	0	842	421		421
57	409.11	Oregon Income Tax			0	0	0	0
58	409.10	Federal Income Tax			0	0	0	0
59		TOTAL REVENUE DEDUCTIONS	575,444	77,188	652,632	577,779	14	577,793
60		NET OPERATING INCOME	14,880	(14,693)	187	(5,432)	5,432	0
61								
62	101	Utility Plant in Service			0	1,051,206	1,051,206	1,051,206
63		Less:						
64	108.1	Depreciation Reserve			0	553,393		553,393
65	271	Contributions in Aid of Const			0	0		0
66	272	Amortization of CIAC			0	0		0
67	281	Accumulated Deferred Income Tax			0	0		0
68		Net Utility Plant	0	0	0	497,813	0	497,813
69		Plus: (working capital)			0	497,813		497,813
70	151	Materials and Supplies Inventory		0	0	0		0
71		Working Cash (Total Op Exp /12)	46,970	2,378	49,348	43,239	(11)	43,240
72		TOTAL RATE BASE	46,970	2,378	49,348	541,051	(11)	541,052
73		Rate of Return	31.68%		0.38%	-1.00%		0.00%

**STAFF'S SUMMARY OF ADJUSTMENTS
CROOKED RIVER RANCH WATER COMPANY
UW 120**

Staff/101
Willis/2

		Staff Adjustments to Rev Req Column D	Results	Reason	
REVENUES					
1	461 Residential Water Sales	569,425	(\$1,645)	567,780	Removed refunds from water sales
2	0 Reimbursements	(1,645)	\$1,645	0	Zero out refunds
3	465 Cell Tower Income	9,810	(\$5,243)	4,568	Allocated 50% to CRRWC, 50% to HOA
4	0 Labor	185	(\$185)	0	Removed pass thru revenue
5	471 Misc. Revenues	2,303	(\$2,303)	0	Removed pass thru revenue
6	Connections	10,246	(\$10,246)	0	Removed pass thru revenue
7	TOTAL REVENUE	590,324	(\$17,977)	572,348	
OPERATING EXPENSES					
10	601 Salaries and Wages - Employees	97,590	\$62,250	159,840	Additional employee (Bill) & increase wages
11	Utilities (Garbage)	0	\$1,034	1,034	Add annual garbage expense
12	604 Employee Pension & Benefits	(3,384)	\$9,778	6,394	4% of wages for employees benefits
13	Debt Service Exp	0	\$11,446	11,446	Annual expense of two trucks financed
14	611 Telephone/Communications	18,799	(\$9,470)	9,329	Removed one time expenses, normalized
15	615 Purchased Power	67,917	\$3,301	71,218	Actual power cost plus escalation
16	0 Contingency Fund	0	\$20,000	20,000	Stipulated expense
					Removed one time exp, normalize, move exp to
17	619 Office Supplies	5,601	\$14,223	19,824	appropriate accts
18	619 Postage	7,257	\$447	7,704	Staff recalculated postage
					Removed one time exp, normalize, move exp to
19	620 O&M Materials/Supplies	3,877	\$10,146	14,023	appropriate accts
20	621 Repairs to Water Plant	6,717	\$15,283	22,000	Stipulated expense
21	631 Contract Svcs - Engineering	29	\$6,108	6,137	Estimated annual expense
22	632 Contract Svcs - Accounting	5,000	(\$628)	4,372	Actual expense
23	633 Contract Svcs - Legal	155,961	(\$143,961)	12,000	Stipulated expense
24	634 Contract Svcs - Management Fees	40,758	\$1,242	42,000	Actual expense
25	635 Contract Svcs - Testing	8,336	(\$4,375)	3,961	Three year average of testing cost
26	636 Contract Svcs - Labor	18,759	(\$18,759)	0	Removed or moved exp to appropriate acct
27	637 Contract Svcs - Janitorial	5,098	\$1,959	7,057	Actual expense
28	638 Contract Svcs - Meter Reading	19,321	\$5,241	24,562	Add'l exp \$.10 per meter reading for insulation
29	639 Contract Svcs - Other	34,742	(\$34,742)	0	Zero out per company
30	Contract - Labor Professional	15,396	(\$12,302)	3,094	Majority of exp nonrecurring, amort over 3 yrs
31	642 Rental of Equipment	102	\$2,736	2,838	Avg estimated cost of rental per cust, see acct
32	643 Small Tools	3,639	(\$720)	2,919	Moved exp to more appropriate accts
					Removed one time exp, normalize, move exp to
33	648 Computer/Electronic Expenses	17,907	(\$4,835)	13,072	appropriate accts
34	650 Transportation	13,137	(\$4,424)	8,713	Stipulated expense
35	656 Vehicle Insurance	4,918	(\$991)	3,927	Actual expense
36	657 General Liability Insurance	5,430	(\$1,731)	3,699	Actual expense
37	658 Workers' Comp Insurance	(154)	\$1,627	1,473	Estimated annual expense
38	659 Insurance - Other	1,566	(\$34)	1,532	Officer/director insurance, actual exp
39	660 Public Relations/Advertising	438	(\$96)	342	Amortized one time expenses
40	666 Amortz. of Rate Case	0	\$3,464	3,464	Amortized estimated expense
41	667 Gross Revenue Fee (PUC)	0	\$1,431	1,431	Calculation
42	DCVA Program Expense Account	0	\$22,981	22,981	Staff estimated annual
43	DCVA Installation/Capital Expenditure	0	\$0	0	Disallowed Co. proposal, use tariffs
44	Water Survey	1,011	(\$611)	400	Amortized
45	Locates	192	(\$64)	128	Actual expense
46	673 Training and Certification	299	\$1,260	1,559	Staff's estimated annual expense
47	674 Consumer Confidence Report	0	\$359	359	Staff's estimated annual expense
					Removed one time exp, normalize, move exp to
48	675 General Expense	7,377	(\$3,347)	4,030	appropriate accts
49	TOTAL OPERATING EXPENSE	563,636	(\$44,773)	518,863	
OTHER REVENUE DEDUCTIONS					
52	403 Depreciation Expense	0	\$40,841	40,841	Actual
53	407 Amortization Expense	0	\$0	0	
54	408 Property Tax	542	\$0	542	Actual expense
55	408 Payroll Tax	10,424	\$6,688	17,112	Estimated
56	408 Cell Tower Property Tax	842	(\$421)	421	Allocated 50% to CRRWC, 50% to HOA
57	409 Oregon Income Tax	0	\$0	0	None - nonprofit
58	409 Federal Income Tax	0	\$0	0	None - nonprofit
59	TOTAL REVENUE DEDUCTIONS	575,444	\$2,335	577,779	
60	NET OPERATING INCOME	14,880	(\$20,312)	(5,432)	
UTILITY PLANT					
62	101 Utility Plant in Service	0	\$1,051,206	1,051,206	Actual
63	Less:				
64	108 Depreciation Reserve	0	\$553,393	553,393	Actual
65	271 Contributions in Aid of Const	0	\$0	0	
66	272 Amortization of CIAC	0	\$0	0	
67	281 Accumulated Deferred Income Tax	0	\$0	0	
68	Net Utility Plant	0	\$497,813	497,813	Actual
69	Plus: (working capital)		\$0	0	
70	151 Materials and Supplies Inventory	0	\$0	0	
71	Working Cash (Total Op Exp /12)	46,970	(\$3,731)	43,239	Calculation
72	TOTAL RATE BASE	46,970	\$494,081	541,051	Actual
73	Rate of Return	\$0	(\$0)		None

REVENUE SENSITIVE COSTS

Revenues	1.0000
O&M - Uncollectibles	0.0000
Franchise Fees	0.0000
OPUC Fee	0.0025
Short-term Interest	0.0000
State Taxable Income	0.9975
State Income Tax	0.00% 0.0000
Federal Taxable Income	0.9975
Federal Income Tax	0.00% 0.0000
Total Income Taxes	0.0000
Total Revenue Sensitive Costs	0.0025
Utility Operating Income	0.9975
Net-to-Gross Factor	1.0025

COST OF CAPITAL

		Capital		Weighted	
		<u>Structure</u>	<u>Cost</u>	<u>Cost</u>	
DEBT					
ALLY	22789	45.61%	4.84%	2.21%	MOVED TO DEBT SERVICE
ALLY	27175	54.39%	4.84%	2.63%	MOVED TO DEBT SERVICE
Other	\$0	0.00%	0.00%	0.00%	
	\$49,964			4.84%	
EQUITY	\$0	0.00%	9.50%	0.00%	
	\$49,964	100.00%		4.84%	
			ROR	0.00%	

[illegible]

[illegible]

[illegible][illegible]

Original Plant In Service Cost	1,051,206
Less: Excess Capacity	0
"Used & Useful" Plant	1,051,206
Less Accum Depreciation	553,393
NET PLANT	497,813

Sale of Plant - zero out per MD
Allow only 1 backhoe
Do not allow crane

2011 Depreciation Expense	40,841
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- Plant Added in UW 120
 - CIAC
 - Plant Sold
 - Fully Depreciated Plant
 - Plant transferred from expense accounts
- * Two Chevy trucks have been

Current and Proposed Rates

<u>Residential/Commercial/Industrial/Multi-family</u>	<u>Current</u>	<u>Company Proposed</u>	<u>Stipulated</u>
monthly base rate	\$25.20	\$25.08	\$23.00
monthly consumption included in base rate (cf)	300	0	0
tier 1 rate (per 100 cf)	\$0.80	\$0.90	\$0.83
monthly threshold (cf)	n/a	n/a	6,000
tier 2 rate (per 100 cf)	n/a	n/a	\$0.93

<u>Non-profit Organizations (same as above)</u>	<u>Current</u>	<u>Company Proposed</u>	<u>Stipulated</u>
monthly base rate	\$25.20	\$25.08	\$23.00
application of base rate		1st meter only	all meters
monthly consumption included in base rate (cf)	300	0	0
tier 1 rate (per 100 cf)	\$0.80	\$0.90	\$0.83
monthly threshold (cf)	n/a	n/a	6,000
tier 2 rate (per 100 cf)	n/a	n/a	\$0.93

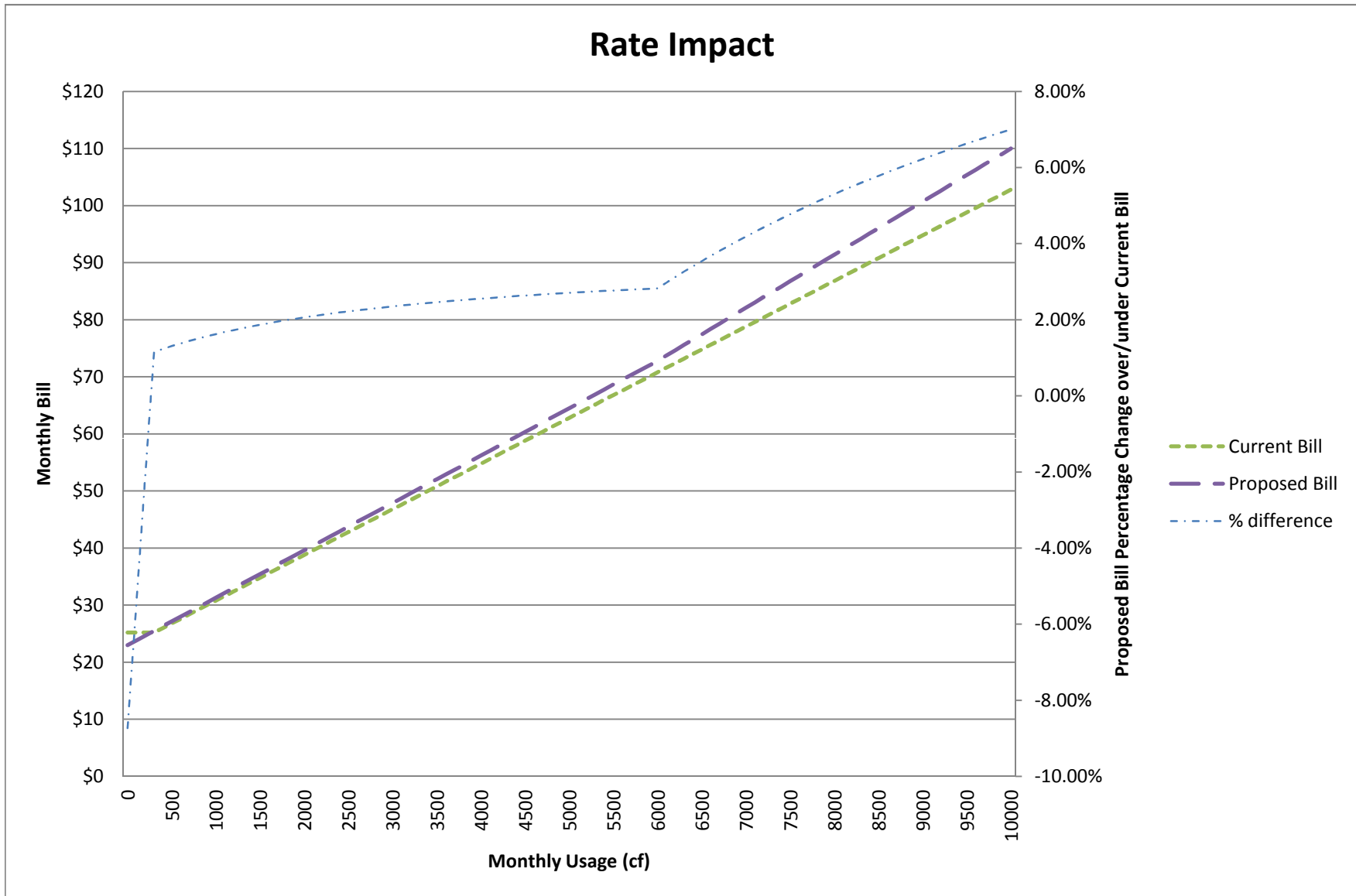
<u>Temporary Service/Water Haulers</u>	<u>Current</u>	<u>Company Proposed</u>	<u>Stipulated</u>
monthly base rate	\$0.00	\$0.00	\$0.00
monthly consumption included in base rate (cf)	0	0	0
tier 1 rate (per 100 cf)	\$0.80	\$0.96	\$0.93
monthly threshold (cf)	n/a	n/a	n/a
tier 2 rate (per 100 cf)	n/a	n/a	n/a

<u>Irrigation</u>	<u>Current</u>	<u>Company Proposed</u>	<u>Stipulated</u>
monthly base rate	\$25.20	\$0.00	\$23.00
monthly consumption included in base rate (cf)	300	0	0
tier 1 rate (per 100 cf)	\$0.80	\$0.96	\$0.83
monthly threshold (cf)	n/a	n/a	6,000
tier 2 rate (per 100 cf)	n/a	n/a	\$0.93

Current and Proposed Bills for Monthly Usage and Percentage Difference

<u>Usage (cf/month)</u>	<u>Current Bill</u>	<u>Proposed Bill</u>	<u>% Difference</u>
0	\$25.20	\$23.00	-9%
500	\$26.80	\$27.15	1%
1000	\$30.80	\$31.30	2%
1500	\$34.80	\$35.45	2%
2000	\$38.80	\$39.60	2%
2500	\$42.80	\$43.75	2%
3000	\$46.80	\$47.90	2%
3500	\$50.80	\$52.05	2%
4000	\$54.80	\$56.20	3%
4500	\$58.80	\$60.35	3%
5000	\$62.80	\$64.50	3%
5500	\$66.80	\$68.65	3%
6000	\$70.80	\$72.80	3%
6500	\$74.80	\$77.45	4%
7000	\$78.80	\$82.10	4%
7500	\$82.80	\$86.75	5%
8000	\$86.80	\$91.40	5%
8500	\$90.80	\$96.05	6%
9000	\$94.80	\$100.70	6%
9500	\$98.80	\$105.35	7%
10000	\$102.80	\$110.00	7%

Current and Proposed Bills for Monthly Usage and Percentage Difference



CERTIFICATE OF SERVICE

UW 149

I certify that I have this day served the foregoing document upon all parties of record in this proceeding by delivering a copy in person or by mailing a copy properly addressed with first class postage prepaid, or by electronic mail pursuant to OAR 860-001-0180, to the following parties or attorneys of parties.

Dated this 28th day of September, 2012 at Salem, Oregon.

Kay Barnes

Kay Barnes

PUC-Utility Program

550 Capitol St NE Ste 215

Salem, Oregon 97301-2551

Telephone: (503) 378-5763

UW 149
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