

ORDER NO.

ENTERED

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MAY 31 2011

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1489

In the Matter of

FISH MILL LODGES WATER SYSTEM

Application for an Order Authorizing
Abandonment of Water Service.

ORDER

DISPOSITION: PETITION TO INTERVENE DENIED

On May 31, 2011, Ruth Pitts-London filed a petition to intervene in this matter on behalf of the National Action Network Oregon (NANO). Together with the petition Ms. Pitts-London submitted a letter setting forth her view of the merits of the subject application. She asks that her letter "be made a matter of record to be read during the hearing."

In the petition Ms. Pitts-London does not assert any interest in the proceeding.¹ In her letter she argues in support of the application for abandonment of service. There is no reference to any interest in the application on her part, or on the part of NANO.

Under OAR 860-001-0300(6), parties may object to a petition to intervene within 10 days of service of the petition. In this case, where the petition was filed 6 days before the hearing, the Commission acts expeditiously on its own motion.

ORS 757.525 provides that "any person may apply to the commission for permission to appear and participate in the proceeding." The Commission then "shall determine the interest of the applicant" and "shall grant the application, subject to appropriate conditions, if the commission determines that such appearance and participation will not unreasonably broaden the issues or burden the record, and otherwise may deny the application."

OAR 860-001-0300(7) further provides that "if the Commission * * * finds the petitioner has sufficient interest in the proceedings * * * then the Commission * * * must grant the

¹ The standard petition form provides a space for the petition to state the "nature and extent of the petitioner's interest in the proceedings." Ms. Pitts-London states only: "My participation during legal proceeding shall be that of an observer."

petition.” In this case Ms. Pitts-London has asserted no interest in the proceedings – on behalf of herself or NANO.

The Commission finds that “interest in the proceedings” requires some stake in the outcome. Ms. Pitts-London represents neither the utility nor its customers. No stake in the outcome is asserted on behalf of NANO or any of its members. The petition to intervene is denied.

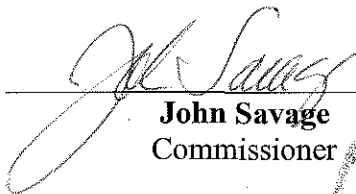
Under OAR 860-001-0300(8), a person may be afforded “interested person” status in particular proceedings. An “interested person” receives copies of the orders, ruling, notices, or other documents issued by the Commission, but does not receive documents filed by parties. An interested person is not a party, and has no right to submit evidence or ask questions of witnesses. The Commission confers “interested person” status on NANO.

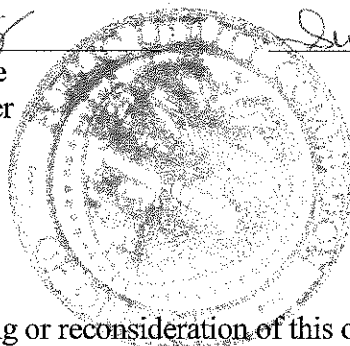
ORDER

IT IS ORDERED that:

1. The petition to intervene filed on May 31, 2011, by Ruth Pitts-London and the National Action Network is denied.
2. The National Action Network is designated an “interested person” in this proceeding.

Made, entered, and effective MAY 31 2011.


John Savage
Commissioner




Susan K. Ackerman
Commissioner

A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.