

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

WJ 8

In the Matter of

CROOKED RIVER RANCH WATER  
COMPANY

An Investigation Pursuant to ORS 756.515 to  
Determine Jurisdiction

PREHEARING CONFERENCE  
MEMORANDUM

DISPOSITION: SCHEDULE ADOPTED; HEARING SET

A prehearing conference was held in this matter on January 8, 2010. At the prehearing conference, Jason Jones and Al Depenbrock appeared in person on behalf of the Staff of the Public Utility Commission of Oregon (Staff). Timothy Gassner and Robert Steringer appeared on behalf of Crooked River Ranch Water Company (Crooked River or the Company) via telephone.<sup>1</sup>

The purpose of the prehearing conference was to identify issues and set a procedural schedule. On behalf of Crooked River, Mr. Steringer raised a procedural issue that would materially alter the course of the proceeding if the Company’s position were to be adopted. I instructed Mr. Steringer to present the issue in a written motion, to be filed not later than January 14, 2010. Staff shall file its response not later than January 21, 2010.

Based on the Court of Appeals’ decision in *Crooked River Ranch Water Company v. Public Utility Commission of Oregon*, 224 Or App 485 (2008), I identified two issues to be decided in this phase of the proceedings: *first*, whether “there is reason to provide oversight,” and *second*, whether Crooked River is a cooperative exempt from jurisdiction under ORS 757.063(2). After conferring with the parties, I adopted a schedule for the filing of testimony and set a date for hearing, as follows:

<b>Event</b>	<b>Date</b>
Staff Initial Testimony and Exhibits	February 16, 2010
Company Testimony and Exhibits	March 8, 2010
Staff Reply Testimony and Exhibits	March 18, 2010
Hearing	March 30 and 31, 2010

<sup>1</sup> The conference was scheduled via telephone for the convenience of the Utility. Additionally, approximately four interested Crooked River customers listened in by phone.

The parties are directed to submit written estimates of cross-examination time for each witness not later than March 23, 2010.

I stated my intent to convene the hearing in the vicinity of the utility's service territory on account of the acute local interest in these proceedings. I further indicated that the first day of the hearing would be set for the evening, to accommodate customers of the Company or members of the public who may wish to attend. The time and place for hearing will be specified in a later Commission order.

Dated at Salem, Oregon this 8<sup>th</sup> day of January, 2010.

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Patrick Power  
Administrative Law Judge