

**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

**UW 120**

In The Matter of: )  
 )  
CROOKED RIVER RANCH WATER ) RESPONSE TO MOTION TO COMPEL  
COMPANY ) RE: DR 75-85  
 )  
 )  
 )  
 )  
 )

COMES NOW CRRWC and responds to Intervener Craig Soule’s Motion to Compel regarding DR 75-85.

**DISCUSSION**

- DR 75(a): This data request is both argumentative and calls for a legal conclusion.
- DR 75(b): Not available
- DR 75(c): CRRWC responded to Craig Soule’s data request 75(c) and meant to provide Mr. Soule with a copy the Board Resolution authorizing reformation of CRRWC as a cooperative. Mr. Soule was erroneously provided with another document. A copy of the reformation authorization has been attached to this Response.
- DR 75(d): This data request calls for a legal conclusion and no documentation is available
  
- DR76: DR 76 is both argumentative and calls for a legal conclusion. Intervenor Soule is well aware of the ongoing litigation regarding the status of CRRWC as a cooperative or mutual benefit organization.
- DR77: CRRWC has no information available.
- DR78: CRRWC has no information available.
- DR79: Consistent with the Court’s Orders in Jefferson County Circuit Court case CV08-0028, CRRWC will furnish Intervener Craig Soule with the requested information in the same manner as has been ordered by the Jefferson County Circuit Court.

DR80: No response available.  
DR81: No response available.  
DR82: No response available.  
DR83: (See response to DR76.)  
DR84: CRRWC objects as the inquires are both argumentative and privileged.  
DR85: No information available.

When the Jefferson County Circuit Court reviewed the legal relevancy of Data Request's submitted by Intervenor Craig Soule a substantial portion of those data requests were deemed irrelevant, argumentative or both. Other data requests sought information which was simply not available, in which case Intervener Soule either conceded the unavailability or the Court made an Order that CRRWC was not required to produce any information responsive to that request. The Jefferson County Circuit Court required CRRWC to produce some information which was responsive to Intervenor Craig Soule's data requests. CRRWC has subsequently produced a portion of that information and is currently working with Craig Soule to provide the remainder. The Court's dicta was there was no harm in requiring CRRWC to produce certain information.

The harm in producing that information has become readily apparent. There would be no harm if Intervenor Craig Soule acted in good faith, however, Soule has taken the information provided and used it to justify further inquiry which is irrelevant, argumentative and constitutes harassment of CRRWC. Intervenor Craig Soule is well aware of the limited financial resources of CRRWC and continues to submit data requests the likes of which have already been denied by the Circuit Court in an effort to harass CRRWC and deplete resources.

CRRWC requests an order prohibiting further Data Requests from Intervener Craig Soule and a ruling denying the Motion to Compel in it's entirety.

RESPECTFULLY submitted this 1<sup>st</sup> day of August 2008.

GLENN, SITES, REEDER & GASSNER, LLP

/s/ Timothy R. Gassner  
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CERTIFICATE OF SERVICE

I certify that on August 1, 2008, I served the foregoing upon the following, by mailing a copy by postage prepaid first class to:

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