

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON  
UW 120**

<p style="text-align: center;">In the Matter of</p> <p style="text-align: center;">CROOKED RIVER RANCH WATER COMPANY</p> <p style="text-align: center;">Request for Rate increase resulting in total annual revenues of \$868,453.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p style="text-align: center;">INTERVENOR – CRAIG SOULE</p> <p style="text-align: center;">OPPOSITION TO CROOKED RIVER RANCH WATER COMPANY’S MOTION FOR EXTENSION OF TIME</p>
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**INTRODUCTION**

On June 18, 2008 Intervenor Craig Soule (Soule) filed a “Motion to Compel Data Request Numbers 67 to 74” in Oregon Public Utility Commission (PUC) docket number UW 120.

On June 19, 2008 Soule received an email from counsel for Crooked River Ranch Water Company (CRRWC) titled “Motion for Extension of Time to File Motion to Compel”. The email did not contain an attachment or text body. The email indicated that the subject email had also been sent to the PUC Filing Center.

On June 19, 2008 Soule received a second email from counsel for CRRWC. The email was titled “Motion and Order for Extension of Time to File Motion to Compel”. The email contained an attached document titled “Motion and Order for Extension of Time to File Motion to Compel” and “Certificate of Service”. The email “To” line did not list the PUC Filing Center as a recipient of the subject email.

On June 20, 2008 Soule received an email from counsel for CRRWC titled “UW120 Motion for Extension of Time to File Motion to Compel”. The email contained an attached document titled “Motion for Extension of Time to File Motion to Compel” and “Certificate of Service”. The email “To” line did not list the PUC Filing Center as a recipient of the subject email.

As of the time of this filing, the PUC eDocket UW 120 website did not contain a filing by CRRWC addressing this subject matter nor has Soule received a hard copy addressing the subject matter from CRRWC. Soule is unable to decisively determine the correct document or document content based on the multiple submissions regarding this matter. CRRWC appears to be requesting an extension of time to provide a response to Soule’s “Motion to Compel Data Request Numbers 67 to 74”.

Soule opposes any extension of time for CRRWC to file/submit a response to Soule’s “Motion to Compel Data Request Numbers 67 to 74”.

**DISCUSSION**

On June 9, 2008 Soule contacted counsel for CRRWC via letter to informally address the production of documents/information in Soule's data request 67 through 74. The written communication concerning this matter, in part, stated the following:

*CRRWC's response to this communication addressing the production of the subject documentation/information is requested by June 17, 2008 to avoid further filings in PUC docket UW 120.*

On June 10, 2008 Soule received an email from counsel for CRRWC, in part, stating the following:

*I have not had the opportunity to review your arguments as I just finished the evidentiary portion of a trial that began yesterday morning and I am awaiting a jury verdict.*

*As soon as I have review your correspondence and evaluated your arguments I will let you know.*

Counsel for CRRWC did not respond, other than the above noted email, to the letter informally addressing the production of documents/information in Soule's data request 67 through 74.

On June 10, 2008 CRRWC was aware of the potential for further filings in PUC docket UW 120, based on their performance. Therefore, the subject motion did not come as a surprise to counsel for CRRWC. Counsel for CRRWC had ample time to secure/prepare alternate counsel to timely address the subject motion. Alternate counsel has previously participated on CRRWC's behalf in UW 120. Primary counsel for CRRWC being unavailable due to a foreseeable circumstance is not valid grounds for an extension of time to respond to the subject motion. The process and associated time lines are not new to CRRWC.

Soule has submitted 74 data requests to CRRWC in the proceeding before the PUC known as UW 120. CRRWC was not responsive to Soule's data request 1 through 66 during the administrative process, even after motions to compel and subpoenas were served on CRRWC. Soule had to seek assistance through contempt of court proceeding before the circuit court, resulting in the court ordered production of specific documents/information. CRRWC has not complied fully with the circuit court order. Some of data requests that have not been fully complied with are almost one year old. In light of CRRWC's record in this proceeding concerning lack of production of information/documents, less than full disclosure and willful violation of PUC orders; CRRWC's request for an extension of time to respond to the subject motion is less than genuine.

### CONCLUSION

For the foregoing reasons Intervenor Craig Soule requests the Commission reject CRRWC's motion for extension.

DATED this 23rd day of June, 2008

Respectfully submitted,

/s/ Craig Soule  
Craig Soule – Intervenor UW 120

## CERTIFICATE OF SERVICE UW 120

I certify that on June 23, 2008 I served a true and correct copy of the foregoing "Opposition to Crooked River Ranch Water Company's Motion for Extension of Time" on all parties of record in this proceeding by placing in the US Mail with postage prepaid and by delivering a copy by electronic mail to:

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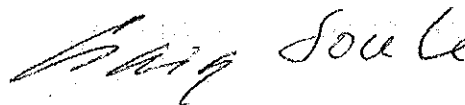
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I certify that on June 23, 2008 I served the following entity, by placing in the US Mail with postage prepaid, a true and correct copy of the foregoing "Opposition to Crooked River Ranch Water Company's Motion for Extension of Time":

**CROOKED RIVER RANCH WATER COMPANY**  
**BRIAN ELLIOT - PRESIDENT BOARD OF DIRECTORS**  
PMP 313 - 1604 S Hwy 97 # 2  
Redmond, Oregon 97756



CRAIG SOULE