



DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

May 7, 2007

Allen Scott
Administrative Law Judge
Office of Administrative Hearings
Public Utility Commission of Oregon
550 Capitol St NE – Suite 215
PO Box 2148
Salem OR 97308-2148

RE: UW 119 - Motion to Allow Trial Brief

Dear ALJ Scott,

On May 4, 2007, Staff received your memorandum regarding the hearing procedures related to the evidentiary hearing scheduled for May, 10, 2007. Staff also notes that the suspension of Agate Water Company's proposed tariffs ends June 1, 2007. As a result, there is a short period of time between the hearing and the time that the Commission must issue an order in this proceeding.

After receiving the Intervenor's testimony and considering the schedule in this docket, Staff respectfully moves for a decision, or a clarification of your May 4, 2007, memorandum, that gives all the parties the opportunity to submit a trial brief on, or before, the hearing on May 10, 2007. While Staff is also willing to file a post-hearing brief, it would appreciate the opportunity to file a trial brief to respond to some of the issues raised in testimony. Furthermore, trial briefs would likely lead to a more efficient process, especially considering the limited time between the hearing and end of the suspension period.

For the foregoing reasons, Staff respectfully requests that the parties be given the opportunity to file trial briefs in this proceeding.

Sincerely,

Jason W. Jones
Assistant Attorney General
Regulated Utility & Business Section

JWJ:jwj/GENT8867
cc: all parties

1 **CERTIFICATE OF SERVICE**

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3 I certify that on May 7, 2007, I served the foregoing upon all parties of record in this
4 proceeding by delivering a copy by electronic mail. I further certify that on May 8, 2007, the
5 parties will be mailed a copy by postage prepaid first class mail or by hand delivery/shuttle mail
6 to the parties accepting paper service.

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