

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UW 106

In the Matter of)	
)	
SHADOW WOOD WATER CORP.)	RULING
)	
Request for a general rate increase and)	
Interim rates.)	

DISPOSITION: MOTION TO AMEND SCHEDULE GRANTED

On August 12, 2005, the Commission Staff (Staff) filed a motion to amend the procedural schedule in this docket. Staff states that it has reached settlement with Shadow Wood Water Corp. (Company) and two intervenors, and is submitting a Stipulation and supporting testimony. Staff states that three intervenors, however, have not signed the Stipulation. For these reasons, Staff recommends that the schedule be modified as follows:

EVENT	DATE
Deadline for Objections to the Stipulation	August 22, 2005
Evidentiary Hearing	August 25, 2005 Location: West Linn

Staff’s motion is granted with one clarification. Staff assumes that, because not all intervenors have signed the Stipulation, an evidentiary hearing will be necessary. That is not necessarily so. While any party may object to a stipulation, an objection may take two forms. First, a party may file written objections providing argument in opposition to the settlement. Second, if evidence is required to support an objection, a party may request a hearing. These two options are set forth in OAR 860-014-0085(5), which provides, in part:

Within 20 days of the filing of the settlement or stipulation, any party may file written objections to the settlement or stipulation or request a hearing. Upon request or its own motion, the Commission or ALJ may set another time period for objections and request for hearing. Objections may be on the merits or based upon failure of staff or a party to comply with this rule.

Accordingly, under the amended schedule, any party may file an objection to or request a hearing on the Stipulation reached in this case. Any written filing must

clearly indicate whether the party wishes to only object to the Stipulation, or, instead, desires an evidentiary hearing to offer evidence in opposition. If a request for hearing is received by August 22, the Commission will hold a hearing on August 25, 2005.

Dated at Salem, Oregon, this 15th day of August 2005.

Michael Grant
Chief Administrative Law Judge