

ISSUED: February 22, 2007

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UW 119

In the Matter of )  
 )  
AGATE WATER COMPANY, ) PREHEARING CONFERENCE  
 ) MEMORANDUM  
Request for an increase in annual revenues )  
of \$202,800 or 45.7 percent. )

**DISPOSITION: SCHEDULE ESTABLISHED**

A Public Comment Meeting and Prehearing Conference were held in Bend, Oregon, on February 16, 2007, before Administrative Law Judge Allen Scott. Applicant Agate Water Company (Company) was represented by Lynn Johnson, Manager. Commission Staff (Staff) was represented by Jason Jones, Assistant Attorney General. Approximately 40 customers of the company attended.

**Public Comment**

Many of the customers present expressed opposition to the size of the rate increase and skepticism about the bases for the increase. In addition, several customers have expressed opposition to the rate increase in letters and phone calls to the Commission. Several customers also noted that the construction of water company facilities had left roads in the area in bad condition. The company indicated that it is pursuing resolution of these problems with the contractors.

**Schedule**

Staff and the Company agreed to the following schedule for review of the application:

Deadline for Petitions to Intervene	March 7, 2007
Settlement Conference	April 11, 2007, in Bend
Deadline for Data Requests	April 13, 2007
Deadline for Data Responses	April 20, 2007
Staff and Intervenor Direct Testimony due	April 30, 2007
Hearing	May 9, 2007, in Bend.

The Commission will provide notice of the specific times and locations of the settlement conference and hearing in later communications. Data requests should be between Staff, the Company, and intervenors, and should not be filed with the Administrative Hearings Division or the ALJ. The current docket information, including the case schedule and the docket service list containing the parties' names and addresses is available on our website at the following link:

<http://apps.puc.state.or.us/edockets/docket.asp?DocketID=13705>

### **Petitions to Intervene**

Petitions to intervene were filed at the prehearing conference by the customers named below. The first three were signed by the customers and are granted. The others were unsigned and have been returned to the customers for signature. They are granted conditionally upon their being returned signed.

Stephanie Michelsen  
Timothy Rogers  
David N. Westoby

David Anderson  
Corine Fraser  
Tim L. Kelley  
Lawrence L. Riser

Dated at Salem, Oregon, this 22nd day of February, 2007.

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Allen Scott  
Administrative Law Judge