

ISSUED: June 21, 2010

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

WJ 8

In the Matter of

CROOKED RIVER RANCH WATER  
COMPANY

An Investigation Pursuant to ORS 756.515 to  
Determine Jurisdiction

PREHEARING CONFERENCE  
MEMORANDUM

DISPOSITION: SCHEDULE ADOPTED; HEARING DATE SET

A prehearing conference was held in this matter on June 21, 2010, via telephone. At the prehearing conference, Jason Jones appeared in person on behalf of the Staff of the Public Utility Commission of Oregon (Staff). Timothy Gassner and Robert Steringer appeared on behalf of Crooked River Ranch Water Company (Crooked River or the Company).<sup>1</sup>

In an earlier prehearing conference memorandum (dated January 8, 2010), I identified two issues to be decided in this phase of the proceedings: *first*, whether “there is reason to provide oversight,” and *second*, whether Crooked River is a cooperative exempt from jurisdiction under ORS 757.063(2). In that memorandum I set a schedule for the filing of testimony and exhibits by Staff and the Company that would address those issues.

Based on a May 10, 2010, ruling by the Court of Appeals (the Court), the scope of this hearing is now circumscribed. The Court limited the receipt of “additional evidence” to “that evidence officially noticed by the agency,” the “the files in two other related dockets – UW 120 and UCR 100.” The Court further held that Crooked River “may submit rebuttal evidence at the hearing to take additional evidence.”

As I understand the Court’s ruling, the Commission shall convene a hearing at which official notice of the files in these related dockets will be taken. At that same hearing Crooked River may submit rebuttal evidence relating to the contents of those files. Given that Crooked River itself was a party to those proceedings and did fully participate, it remains uncertain whether the Company will have additional evidence to offer in this phase of these proceedings.

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<sup>1</sup> The conference was scheduled via telephone for the convenience of the Company. Additionally, Mr. Rooks and approximately five interested Crooked River customers listened in by phone.

Accordingly, I set a date for the hearing, with the provision that any testimony to be offered by the Company will be taken orally, subject to cross-examination. I further indicated that any new exhibits to be offered by Crooked River must be served not later than one week before the hearing. The relevance of the Company's evidence will be measured in terms of the scope of the two proceedings that are the subject of the official notice.

Staff will have the opportunity to respond to the Company's evidence at the hearing.

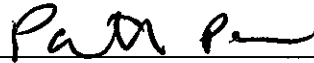
I further advised the parties that I intend to submit this matter upon oral argument held immediately after the close of the evidentiary record.

The adopted schedule is as follows:

<b>Event</b>	<b>Date</b>
Company Exhibits due	July 13, 2010
Hearing	July 20, 2010
Oral Argument	July 20, 2010

In view of the limited scope of the proceedings, I indicated that the hearing will be convened in Salem, Oregon. The time and place for hearing will be specified in a later Commission order.

Dated at Salem, Oregon this 21st day of June, 2010.



Patrick Power  
Administrative Law Judge