

BEFORE THE PUBLIC UTILITY COMMISSION

OF

UW 196

In The Matter of the )  
 )  
SEAVEY LOOP WATER COMPANY, LLC ) OPPOSITION TO STIPULATION  
 ) BETWEEN STAFF AND COMPANY  
 ) BY INTERVENOR CHIN  
Request for a General Rate Increase )

I, Diana Chin, am an Intervenor in the above-referenced matter.

**General Objections:**

1. **Applying Industry Standards:** The Company and Staff stated in their Stipulation that the expenses and capital improvements by Company are “industry standards.” I have lived in this community since 1998, 25 years. There has been very little turnover in our neighborhood and the remaining people are now older and on fixed incomes. The customer base used in this rate case is 37. We are a very small community and consideration should be given as to whether or not “industry standards” should be applied in this instance. Staff should reconsider its decision in the Stipulation to apply “industry standards” so that the customers of Seavey Loop are not paying higher than normal amounts for water which is an essential service that is unavailable from any other source.
2. **Rate of Return:** The Company chose to make capital improvements. Some of the improvements were unreasonable and unnecessary and had nothing to do with providing clean and safe water to our community. Company should not realize a Rate of Return on these unnecessary improvements. Also, the Rate of Return should be lower than 7.75%. A reasonable Rate would be 5% or less for a customer base as small as ours.

**Specific Objections:**

1. **Landscaping:** The Stipulating parties are allowing the amount of \$983 in Account 639. I object to this amount. The landscaping installed by the Company in front of their well died during the summer of 2023. The dead trees and plants have remained for the past six months and Company has not removed the dead plants. See Exhibit 1 attached. The Company has not shown any concern about this remaining eyesore and their lack of actions show indifference to their customers.

The Stipulating Parties agreed in Exhibit 100 Joint Testimony in Support of Stipulation that “. . . water utilities commonly require the area surrounding water supply and storage facilities to be maintained and free of overgrown vegetation.”

The Company hired AG Landscaping to maintain the landscaping. AG Landscaping failed in their work. The customers of Seavey Loop should not have to pay for this failure nor the Company’s decision to put in landscaping. The landscaping should be removed at Company’s expense and not included in the next rate increase.

The amount of \$300.00 is sufficient to spray for weeds and overgrown vegetation twice yearly.

2. **Fencing and Security:** The Stipulating Parties agreed this capital improvement was “necessary and align with industry standards.”

The Company chose to put in an expensive gated and chain link fence for security purposes of the property. The chain link fence installed by Company does not encompass the entire property. If the purpose was for security, the Company failed.

Also, this is a small community and I am not aware of any activity which would require this level of security. I contacted the Lane County Sheriff and inquired about reports of vandalism for our area. Attached is a Records Request and Response from the Lane County Sheriff that indicates no reports of vandalism were filed for our neighborhood. See Exhibit 2 attached. For this community, a padlock for the well building would be sufficient and the cost negligible.

As discussed above under General Objections consideration must occur when the customer base of 37 homes is not standard. Company should bear the expense for this alone and not pass the cost of this improvement to its customers.

**CONCLUSION:** The Company has made decisions for capital improvements that are not in the best interests of its customers. I understand that need to reline the tank if, in fact, it had reached the end of its life. However, improvements for security and landscaping are just additional expenses the Company has loaded on top to the detriment of the customers.

Prior to making these improvements, the Company did not consult or provide any detailed information to its customers advising us of the need, in their opinion, about these improvements. The Company by its actions and decisions has not taken into consideration our community’s ability to pay for the unnecessary improvements listed above.

The Staff and Company agreed that the need for metering in the future and the cost and an engineering report for metering are due on January 1, 2025. Staff advised that metering is necessary and is an “industry standard.” Due to the current expensive capital improvements by the Company, metering is another expense that the customers may not be able to bear. I request that the PUC not apply this “industry standard” to our community and postpone this improvement until the current improvements have been paid.

Dated: December 11, 2023.

  
\_\_\_\_\_  
Diana M. Chin, Intervenor

I declare under penalty of perjury that the above statements are true to the best of my knowledge.

  
\_\_\_\_\_  
Diana M. Chin

**EXHIBIT 1 – UW 196**



**EXHIBIT 2**

Lane County Sheriff's Office Records <lcsso@govqa.us>

8/29/2023 6:38 PM

Lane County Sheriff's Office Public Records Request :: P007533-081823

To Dmchin@comcast.net <dmchin@comcast.net>

--- Please respond above this line ---



RE: Public Records Request of August 18, 2023 Reference # P007533-081823

Dear Diana,

The Lane County Sheriff's Office does not possess the requested records. A search of the files and records of this department and other available resources, based on the details provided, failed to detect any information regarding the incident(s) or person(s) described in your request.

While we had many calls on Blossom St in the provided time frame, we were unable to locate any calls regarding a community/city well.

Thank you.

Lane County Sheriff's Office  
Police Records Unit  
541-682-3775

To monitor the progress or update this request please log into the [Public Records Center](#)

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