

ORDER NO. 04-460

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BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UW 96, UW 98, UI 222, UCR 37, UCR 38

In the Matters of)
)
 LONG BUTTE WATER SYSTEM, INC.)
)
 Request to approve water service)
 infrastructure fee (UW 96 and UW 98),)
)
 Application for an affiliated interest)
 transaction between Long Butte Water)
 System, Inc. and Pat Hodge Construction)
 and Excavation (UI 222),)
)
 MICHAEL BRORBY)
)
 v.)
)
 LONG BUTTE WATER SYSTEM, INC.)
 (UCR 37),)
)
 and)
)
 JEREMY REINWALD)
)
 v.)
)
 LONG BUTTE WATER SYSTEM, INC.)
 (UCR 38).)

ORDER

**DISPOSITION: RATE SCHEDULE SUSPENDED FOR AN
ADDITIONAL PERIOD OF TIME**

On October 23, 2003, Long Butte Water System, Inc. (LBWS) filed a request that the Commission approve its proposed Schedule 3, Water Service Infrastructure Fee, effective November 24, 2003. Commission Staff (Staff) described the terms of the proposed schedule in a Staff Report, dated November 12, 2003.

At its November 13, 2003, public meeting, the Commission found good and sufficient cause to investigate the propriety and reasonableness of the rates. ORS 757.210 and 757.215. The Commission ordered suspension of the advice pending the investigation. On November 17, 2003, the Commission issued Order No. 03-656, suspending the rate schedule for a six-month period of time.

On May 17, 2004, the Commission issued an order suspending the rate schedules for an additional period of time. Order No. 04-263.

At the hearing in this matter on July 20, 2004, LBWS agreed to a further suspension of the rate schedules to September 3, 2004. The Commission concludes that the additional time is necessary for the Commission to complete this investigation. Accordingly, the suspension should be extended as agreed to by LBWS. ORS 757.215(2).

ORDER

IT IS ORDERED that LONG BUTTE WATER SYSTEM, INC.'s Schedule 3, Water System Infrastructure Fee is suspended to September 3, 2004.

Made, entered, and effective _____.

Michael Grant
Administrative Law Judge

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.