

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UW 108

In the Matter of)	
)	
AGATE WATER COMPANY)	ORDER
)	
Requests a general rate increase in the)	
Company's revenues in the amount of)	
\$335,708, or 77.8 percent.)	

DISPOSITION: SUSPENSION PERIOD EXTENDED

On March 7, 2005, Agate Water Company filed tariff sheets in Advice No. 05-22, to be effective April 8, 2005. On April 5, 2005, the Public Utility Commission of Oregon (Commission) found good and sufficient cause to investigate the propriety and reasonableness of the tariff sheets pursuant to ORS 757.210 and 757.215. By Order No. 05-165, the Commission ordered the suspension of the tariff for six months, until October 7, 2005.

On August 8, 2005, Staff submitted a stipulation and joint testimony addressing all issues in the docket. One of the intervenors, Mr. David Anderson, objected to the stipulation. On September 14, 2005, Mr. Anderson presented testimony in opposition to the stipulation at a hearing held in Bend, Oregon. The transcript of the proceedings was received September 22, 2005. An order is currently being drafted.

ORS 757.215(1) provides that if an investigation will not be completed by the expiration of the initial suspension, the Commission may enter an order suspending the tariff for not more than three months beyond the last day of the initial suspension. There is insufficient time between the receipt of the transcript and the expiration of the first suspension period in which to prepare the order and have it signed by the Commission. Therefore, the suspension period will be extended for one month, through November 7, 2005, with rates to take effect no later than November 8, 2005.

ORDER

IT IS ORDERED that Advice No. 05-22, filed by Agate Water Company, is suspended for an additional month, through November 7, 2005.

Made, entered, and effective OCT 03 2005.

BY THE COMMISSION:



A handwritten signature in black ink, appearing to read "Michael Grant", is written over a horizontal line.

Michael Grant
Chief Administrative Law Judge
Administrative Hearings Division

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.