

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

WJ 22

In the Matter of	)	
	)	
CHARBONNEAU WATER COMPANY	)	ORDER
LLC	)	
	)	
An Investigation Pursuant to ORS 756.515	)	
to Determine Jurisdiction	)	

**DISPOSITION: JURISDICTION ASSERTED**

Pursuant to ORS Chapters 756 and 757, the Public Utility Commission of Oregon (Commission) regulates private or investor-owned water utilities meeting the definition of a public utility. *See* ORS 757.005. The Commission may regulate public utilities for service (service regulation) or rates (financial regulation) or both.

Pursuant to ORS 757.061(6)(a), any water utility serving fewer than 500 customers may, at any time, file a petition with the Commission for financial regulation of the water utility. *See* ORS 757.061(6)(a). On April 24, 2009, the Commission received a letter from Charbonneau Water Company, LLC (Charbonneau or Utility), requesting financial regulation.

**FINDINGS OF FACT**

Charbonneau currently meets the definition of a public utility in ORS 757.005 and is regulated for water service. The Utility provides irrigation water to 12 homeowners associations, a golf course, and the golf club. The president and general manager of Charbonneau, representing the shareholders, petitioned the Commission for financial regulation in their April 24, 2009, letter.

Charbonneau sent a notice to its customers on April 24, 2009, informing them of the Utility's request for financial regulation. The Commission received a copy of the customer notice on May 4, 2009.

**CONCLUSIONS OF LAW**

CHARBONNEAU WATER COMPANY, LLC, is a public utility under ORS 757.005 and is subject to service regulation pursuant to ORS 757.020.

CHARBONNEAU WATER COMPANY, LLC, has petitioned the Commission for financial regulation pursuant to ORS 757.061(6)(a).

**ORDER**

IT IS ORDERED that:

1. CHARBONNEAU WATER COMPANY, LLC, is a financial and service regulated water utility pursuant to ORS 757.005 and 757.061.
2. CHARBONNEAU WATER COMPANY, LLC, shall file appropriate tariffs within 60 days of the date of this order.

Made, entered, and effective                     MAY 13 2009                    .



*Lee Sparling*  
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**Lee Sparling**  
Director  
Utility Program

A party to this docket may request reconsideration pursuant to ORS 756.561. The request must be filed within 60 days of the date of service of this order and include information that demonstrates that Charbonneau Water Company, LLC, is not subject to Commission jurisdiction.

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 by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.