

ORDER NO.

11 065

ENTERED

FEB 22 2011

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

WJ 9

In the Matter of

RICE HILL WATER DISTRICT

Assertion of Jurisdiction pursuant to
ORS 757.

ORDER

DISPOSITION: DOCKET CLOSED

The Public Utility Commission of Oregon (Commission) initiated this proceeding by asserting jurisdiction over Rice Hill Water District (RHWD) in Order No. 06-675. The Commission later granted reconsideration of that order and held this proceeding in abeyance pending the outcome of an investigation into the activities of the entities and operators that provide water service in the Rice Hill area. *See* Order No. 07-121.

Although the parties engaged in informal discussions and filed status updates, no formal action had taken place in this docket since February 2008. On January 14, 2011, an Administrative Law Judge directed the parties to file a report that describes the current status of the investigation, and explains why this docket should remain open.

On February 15, 2011, the Staff of the Commission filed a report recommending that the docket be closed. Staff explains that facts surrounding the case have changed substantially over the past three years. RHWD's water system was conveyed to the Rice Hill West Homeowners' Association (West Homeowners). The West Homeowners is receiving water, free of cost, from the Rice Hills Owners' Association (RHOA).

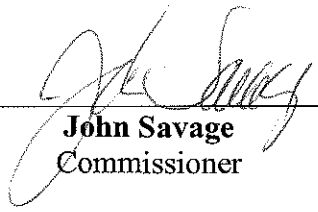
Staff reports that RHOA supports closing this docket, and that the West Homeowners does not oppose it. Staff adds that the West Homeowners are concerned that, at some point in the future, RHOA will stop supplying water, or start chagrining a prohibitive price. Staff explains, however, that the West Homeowners can seek redress with the Commission for any future curtailment or imposition of excessive charges.

Because RHWD is not providing utility service, and RHOA, in providing water service at no charge, does not meet the threshold of service regulation under ORS 757.061, this case should be closed.

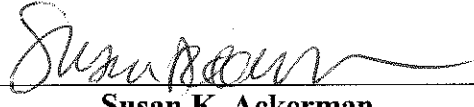
ORDER

IT IS ORDERED that docket WJ 9 is closed.

Made, entered, and effective FEB 22 2011.



John Savage
Commissioner



Susan K. Ackerman
Commissioner



A party may request rehearing or reconsideration of this order under 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 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.