

ORDER NO. 16 110

ISSUED: MAR 15 2016

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1745

In the Matter of

MT. SHADOWS HOME OWNERS
ASSOCIATION,

ORDER

Petition for an Order Excluding an
Association from Exclusive Service
Territory of a Water Company.

DISPOSITION: PETITION DISMISSED; DOCKET CLOSED

Citing ORS 758.320(2), Mt. Shadows Home Owners Association (Association) filed a petition for an order excluding it from the exclusive service territory of the Mountain Shadows Utilities, LLC (Mt. Shadows). Mt. Shadows opposed the petition and argued that the Association had no right to take over the utility water system.

With assistance of our Staff, the parties conducted settlement negotiations. On January 11, 2016, Staff filed its report regarding the actions necessary to effectuate the transfer of the utility, stating that the Association had completed the purchase of the water utility, and will request that its petition be dismissed. Staff observed that the parties had noted several water rights and easement issues in the current sale agreement that require clarification and agreed to work together to make amendments to the sale agreement that will clarify all of the parties' existing rights. Staff supports this approach and recommends that we close this proceeding and open a new docket once Mt. Shadows files a Sale of Property Application and amended sale agreement under ORS 757.480(5) and a Service Territory Transfer Application under ORS 758.310, and any other filings deemed necessary.

On February 26, 2016, the Association filed a request to dismiss their petition.

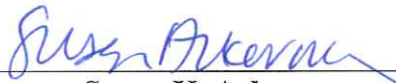
We commend the parties for their hard work to bring this matter through to a successful outcome. We dismiss the petition and await the filing of the new applications.

MAR 15 2016


ORDER

IT IS ORDERED that the petition for an order excluding an association from exclusive service territory of a water company, filed by Mt. Shadows Home Owners Association, is dismissed. This docket is closed.

Made, entered, and effective MAR 15 2016.



Susan K. Ackerman
Chair



John Savage
Commissioner



Stephen M. Bloom
Commissioner

