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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UW 65/UW 68

In the Matter of the Tariffs Filed by Juniper)
Utility Company for Water Service,)
(UW 65).)

ORDER

In the Matter of the Tariffs Filed by Juniper)
Utility Company for Sewer Service,)
(UW 68).

DISPOSITION: TARIFFS FURTHER SUSPENDED

Juniper Utility Company (Juniper or Company) filed tariff sheets on March 24, 1999, to become effective on April 23, 1999.¹ At its April 20, 1999, Public Meeting, the Public Utility Commission of Oregon (Commission) suspended the tariff sheets for a period of six months from April 23, 1999, the effective date of the tariffs.² Based upon that action, the tariffs filed on March 24, 1999, have been suspended until October 23, 1999, to allow for an investigation pursuant to ORS 757.210 and 757.215.

Subsequently, on June 25, 1999, Juniper filed revised tariff sheets, to become effective July 25, 1999.³ At its July 6, 1999, Public Meeting, the Commission suspended the revised tariff sheets for a period of six months from July 25, 1999, the effective date of the tariffs.⁴ Based upon that action, the revised tariffs filed on June 25,

¹ These tariff sheets contained rates for combined water and sewer service. The Commission did not regulate sewer services at this time. Subsequently, on June 23, 1999, House Bill 2681 was signed into law, which granted the Commission jurisdiction over wastewater services under certain circumstances. Docket No. UW 68 was later opened on July 27, 1999, to address Juniper’s provision of wastewater services.

² The Commission’s decision was memorialized in Order No. 99-288, issued on April 26, 1999.

³ The revised tariff sheets also contained rates for combined water and sewer service.

⁴ The Commission’s decision was memorialized in Order No. 99-417, issued on July 7, 1999. The first sentence of the order states that the tariffs were “to be effective June 25, 1999.” This is a typographical error. The order should state that the tariffs were “to be effective July 25, 1999” instead.

1999, have been suspended until January 25, 2000, to allow for an investigation pursuant to ORS 757.210 and 757.215.

At the request of the Staff of the Commission (Staff), the procedural schedule in UW 65 was suspended.⁵ The suspension was requested because of a change in the management and directorship of the Company.⁶ The procedural schedule was resumed on September 23, 1999, and a new schedule was adopted. The new schedule delayed the filing of testimony, added a second settlement conference, and set the evidentiary hearing for November 11-12, 1999.

Because the original tariff sheets have only been suspended until October 23, 1999, the Commission finds that its investigation will not be completed by the expiration of the initial suspension period. The Commission therefore determines that the original tariff sheets filed on March 24, 1999, should be further suspended for an additional three months beyond the last day of the initial suspension, pursuant to ORS 757.215(1).⁷

ORDER

IT IS ORDERED that:

1. The tariffs filed by Juniper Utility Company on March 24, 1999, are further suspended from the current effective date of October 23, 1999, for an additional three months, pursuant to ORS 757.215(1).

⁵ Because UW 68 (sewer case) was consolidated with UW 65 (water case), the suspension also affected the schedule in UW 68 as well.

⁶ Just prior to the settlement conference, the parties were informed that Mr. Jan Ward intended to resign as General Manager and Director of Juniper. The Commission was subsequently informed on September 3, 1999, that Mr. Theodore Roghair had replaced Jan Ward as General Manager, on an interim basis.

⁷ With this Order, the original tariff sheets will be further suspended until January 23, 2000. The revised tariff sheets have been suspended until January 25, 2000. The purpose of the revised tariff sheets filed on June 25, 1999 is unclear to the Commission at this time. Nevertheless, the Commission notes that having both sets of tariff sheets suspended to a time period within a few days of each other will help avoid future confusion.

ORDER NO. 99-649

2. The first sentence of Order No. 99-417, issued July 7, 1999, is amended nunc pro tunc to read: "On June 25, 1999, JUNIPER UTILITY COMPANY filed tariffs in Advice No. 99-1 to be effective July 25, 1999."

Made, entered, and effective _____.

Ron Eachus
Chairman

Roger Hamilton
Commissioner

Joan H. Smith
Commissioner

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 of 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. A party may appeal this order to a court pursuant to ORS 756.580.