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ADMITTED IN OREGON AND WASHINGTON

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October 1, 2021

VIA ELECTRONIC FILING

Oregon Public Utility Commission
Attn: Filing Center
550 Capitol Street, N.E., #215
P.O. Box 2148
Salem, Oregon 97308-2148

Re: In the Matter of Aspen Lakes Utility Company, Request for a General Rate
Revision (UW 176)
Request for Administrative Law Judge Conference

Dear Judge Allwein:

This firm represents Aspen Lakes Estates Owners, Inc., Intervenor in the above-captioned matter. Pursuant to OAR 860-001-0090 and OAR 860-001-0590, administrative law judges (“ALJ”) are authorized to hold conferences in contested case proceedings. The purpose of this letter is to inquire if you, as the ALJ assigned to this proceeding, could convene a conference for the parties to discuss the issue raised in this letter.

The Commission’s initial order in this proceeding – Order 20-108 – required Aspen Lakes Utility to file a general rate case no later than June 30, 2021. At the request of the utility, the Commission extended that deadline until August 31, 2021, through Order 21-220. Aspen Lakes Utility did not file a general rate case before August 31, 2021. Upon inquiry by Intervenor, Aspen Lakes Utility indicated on September 13, 2021, that it is planning to seek another extension of time for filing and indicated it was preparing a motion for that purpose and would confer with Intervenor and Staff before doing so. After additional inquiry from Staff, Aspen Lakes Utility indicated on September 30, 2021, that it would have the draft motion that day, or first thing in the morning on October 1, 2021. Intervenor has yet to receive a draft motion for consideration.

Pursuant to OAR 860-001-0590(2)(f), the ALJ may hold a conference for the purpose of considering matters “that may expedite the orderly conduct and disposition of the proceedings.” Intervenor believes that a conference in this matter is appropriate under that provision, as it will inform the parties of the status of the utility’s required filing. Without such information, Intervenor believes it will need to file a complaint or initiate some other formal proceeding to

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address the utility's violation of the Commission's order, neither of which is desirable if the utility's required filing is imminent. A conference will therefore expedite a more orderly conduct for implementing the Commission's order in this proceeding.

Although the ALJ has the authority to call a conference without a request from a party, Intervenor is prepared to file a formal motion for that purpose if that is more helpful. Intervenor has already conferred with Staff, who indicated they do not oppose having a conference.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'T. Brooks', with a long horizontal flourish extending to the right.

Tommy A. Brooks