



Graphic by Max DeRungs

## EPUD bond issue upheld

By **RON HUNT**  
Of the Emerald

The public vs. private power struggle in rural Lane County is dragging its way through the courts.

And Pacific Power & Light is taking its time before its next move after Lane County Circuit Judge James Hargreaves' decision last Thursday in favor of the Emerald People's Utility District.

Hargreaves granted EPUD's motion for summary judgement, in effect, dismissing PP&L's suit against the wording and intent of an EPUD bond issue approved by Lane County voters last spring. That bond issue allowed bond sales of up to \$72 million to help EPUD purchase control of the rural distribution system.

Oregon law permits public

utilities to take over investor-owned hydro-electric projects.

In three different suits, PP&L has attempted to block EPUD's bond issue.

Will PP&L appeal Hargreaves' decision? Only PP&L lawyers know — and they're not telling.

The attorneys probably will announce their decision on Friday but could delay for another month, says PP&L representative Leonard Bacon.

"We have some time to decide," adds Glenn Gillespie, another PP&L official.

Oct. 26 is PP&L's last day to appeal, according to EPUD Administrative Director Enid Smith, who, unlike PP&L officials, does not hesitate to discuss Hargreaves' decision.

"I'm absolutely delighted with his decision. This is the third

time a judge has slammed the door (on PP&L)," says Smith. She adds that the decision proves that PP&L does not have a substantive case against EPUD.

But that doesn't keep her from worrying about the PP&L lawsuits. If any legal action is pending against EPUD, she says, EPUD is prevented from gleaning income (besides the financial load of attorneys' fees) from bond sales.

"If they (PP&L officials) act true to form, they will probably appeal. Knowing PP&L, I would assume they would have a standing order with their legal counsel to sue, sue, sue," Smith says.

"They're grasping at straws. What they can't do at the ballot box, they'll do other ways."

## Mayor Ivey to run against Rutherford

Lane County Commissioner Harold Rutherford announced Monday that he will seek reelection to his four-year position.

Rutherford, 50, will be

opposed by Junction City Mayor Chuck Ivey in the May primary election.

"I'm here to tell you that I'm ready, willing and able to do the

job," Rutherford said in a news conference.

Rutherford has served as board chair since January. He represents western Lane County and lives near Junction City.

David Lunney,  
Producing Director

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