

1 BEFORE THE LAND USE BOARD OF APPEALS
2 OF THE STATE OF OREGON

3
4 WKN CHOPIN, LLC,
5 *Petitioner,*

6
7 vs.

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9 UMATILLA COUNTY,
10 *Respondent,*

11
12 and

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14 BLUE MOUNTAIN ALLIANCE,
15 DAVE PRICE, RICHARD JOLLY,
16 and UMATILLA ELECTRIC COOPERATIVE,
17 *Intervenors-Respondents.*

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19 LUBA No. 2012-016

20 ORDER EXTENDING DEADLINES TO FILE RECORD OBJECTIONS

21 AND ESTABLISHING AN AMENDED BRIEFING SCHEDULE

22 **RECORD SUPPLEMENT**

23 On April 12, 2012, LUBA received an Amended Table of Contents which adds to the
24 list of oversized exhibits. We treat that amendment as a supplemental record. We establish a
25 new briefing schedule below.

26 **DEADLINE FOR RECORD OBJECTIONS**

27 On April 5, 2012, Umatilla Electric Cooperative (UEC) filed a motion in which it
28 requested an “extension of time [until] May 2, 2012, to file record objections (if any).” In
29 that motion, UEC alleged that counsel for petitioner and counsel for respondent consented to
30 the requested extension. In an April 11, 2012 letter, the attorney for intervenors Blue
31 Mountain Alliance, Dave Price and Richard Jolly indicated that intervenor Blue Mountain
32 Alliance consents to the request. Although intervenors’ attorney does not specifically refer
33 to intervenors-respondent Dave Price and Richard Jolly, we treat the letter as a consent on
34 the behalf of those two individual intervenors as well.

1 UEC's April 5, 2012 motion is granted. UEC shall have until May 2, 2012 to file
2 record objections in this appeal.

3 **BRIEFING SCHEDULE**

4 The record was originally transmitted on March 30, 2012. Pursuant to OAR 661-010-
5 0026, the deadline for filing record objections was April 13, 2012. Intervenor UEC has been
6 granted a 19-day extension of time to file record objections. OAR 661-010-0067(2)
7 provides, in part, "[w]ritten consent to extend the deadline for filing record objections shall
8 automatically extend the deadline for filing the petition for review for the same number of
9 days granted to extend the deadline for filing record objections, unless the consenting parties
10 expressly provide otherwise." Before we granted UEC's April 5, 2012 motion, the deadline
11 for filing the petition for review was April 20, 2012. Pursuant to OAR 661-010-0067(2) that
12 deadline is extended to May 9, 2012. The deadline for respondents to file their response
13 briefs is extended to May 30, 2012. The deadline for the Board to issue its final opinion and
14 order is extended to July 5, 2012.

15 Dated this 13th day of April, 2012.
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22 Michael A. Holstun
Board Member