

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	DOCKET NO. UW-030496
)	
Complainant,)	
)	
v.)	NOTICE OF PREHEARING
)	CONFERENCE
KAYAK POINT WATER CO., INC.,)	(Set for September 19, 2003)
)	
Respondent.)	
.....)	

1 On April 11, 2003, Kayak Point Water Co., Inc. filed with the Commission certain tariff revisions designed to add language to implement a Cross Connection Control Program and implement charges for inspections. The operation of such tariff revisions has been suspended by order of the Commission pending hearing or hearings concerning such changes and the justness and reasonableness thereof.

2 Hearing in this matter is being held pursuant to Part IV of chapter 34.05 RCW pertaining to adjudicative proceedings, including but not limited to RCW 34.05.413, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. Statutes involved, in addition to those previously cited, include those within chapter 80.01 RCW, chapter 80.04 RCW, and chapter 80.28 RCW including but not limited to RCW 80.01.040, RCW 80.04.130, RCW 80.04.250, RCW 80.28.010, RCW 80.28.020, RCW 80.28.030, RCW 80.28.040, and RCW 80.28.100. Rules involved include those within chapter 480-09 WAC and chapter 480-110 WAC. The ultimate issues involved are: 1) whether the tariff revisions to increase the amount collected are just and reasonable and 2) whether existing rates are fair, just reasonable, and sufficient. The issue as to the justness and reasonableness of the rates includes consideration of alternative rate design or structure. Included within the consideration of alternative rate design is the validity and continuity of any water service provided under contract. In accordance with the provisions of RCW 80.04.130 the burden of proof to show that the increase is just and reasonable will be upon the respondent.

3 **NOTICE IS GIVEN That a prehearing conference will be held on Friday,
September 19, 2003, at 1:30 p.m., in Room 108, Chandler Plaza Building, 1300 S.
Evergreen Park Drive S.W., Olympia, Washington.**

4 The purpose of the prehearing conference is to consider formulating the issues in
the proceeding, and to determine other matters to aid in its disposition, as
specified in WAC 480-09-460. Petitions to intervene should be made in writing
prior to the prehearing conference or made orally at that time. The time and
place for the evidentiary hearing will be set at the prehearing conference or by
later written notice. Appearances will be taken.

5 If any party or witness needs an interpreter or other assistance, please fill out the
form attached to this notice and return it to the Commission.

6 NOTICE IS FURTHER GIVEN THAT ANY PARTY WHO FAILS TO ATTEND
OR PARTICIPATE IN THE HEARING SET BY THIS NOTICE, OR ANY OTHER
STAGE OF THIS PROCEEDING, MAY BE HELD IN DEFAULT IN
ACCORDANCE WITH RCW 34.05.440. THE PARTIES ARE FURTHER
ADVISED THAT THE SANCTION PROVISIONS OF WAC 480-09-700(4) ARE
SPECIFICALLY INVOKED.

7 The names and mailing addresses of all parties and their known representatives
are as follows:

Complainant: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

Representative: Mary M. Tennyson
Senior Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1220

Respondent: Kayak Point Water Co., Inc.
1307 Moore Street #704
Brookings, OR 97415

Representative: Richard A. Finnigan
2405 Evergreen Park Drive S.W.
Suite B-3
Olympia, WA 98502
(360) 956-7001

- 8 Karen M. Caillé has been appointed as the Administrative Law Judge from the Utilities and Transportation Commission's Administrative Law Division, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250 and will preside at the prehearing conference.
- 9 Notice of any other procedural phase will be given in writing or on the record as the Commission may deem appropriate during the course of this proceeding.

DATED at Olympia, Washington, and effective this 29th day of August, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

Inquiries may be addressed to:

Executive Secretary
Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and if limited English-speaking or hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned to Washington Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket No.: _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____