

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

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,	)	DOCKET NO. UW-010961
)	
Complainant,)	
	)	SIXTH SUPPLEMENTAL ORDER
v.)	
	)	ORDER OF CONSOLIDATION AND
AMERICAN WATER RESOURCES,	)	NOTICE OF PREHEARING
INC.,	)	CONFERENCE
	)	(Set for September 9, 2003)
Respondent.)	
.....)	
WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,	)	DOCKET NO. UW-031284
)	
Complainant,	)	ORDER NO. 02
)	
v.)	
	)	ORDER OF CONSOLIDATION AND
AMERICAN WATER RESOURCES,	)	NOTICE OF PREHEARING
INC.,	)	CONFERENCE
	)	(Set for September 9, 2003)
Respondent.)	
.....)	

1 On December 18, 2001, the Commission entered in Docket No. UW-010961 an Order Approving Settlement Agreement (Order), which incorporated the terms of a settlement agreement between American Water Resources (AWR) and Commission Staff. The Order approved an increase to AWR’s annual revenue requirement above the test year level by \$89,250.00 (11.27%), or \$3.47 per customer per month. That amount was added to the base rate each customer pays.

- 2 The Order required AWR to deposit \$4.40 per month from each customer payment received into a separate account named the “Docket 010961 Account.” The Commission limited the purposes for which AWR could spend the money deposited into the Docket No. UW-010961 Account to those purposes set forth in the Settlement Agreement and the Order.
- 3 On August 13, 2003, the Commission, on its own motion, filed a complaint against American Water Resources, Inc. The complaint alleges that AWR has failed to comply with the Order Approving Settlement Agreement.

ORDER OF CONSOLIDATION

- 4 Pursuant to WAC 480-09-610, the Commission finds that the facts and the principles of law to be applied in Docket Nos. UW-010961 and UW-031284 may be related and that consideration of the issues in the two dockets may most efficiently be accomplished on a common record. Therefore, the Commission consolidates the two proceedings for purpose of hearing and deliberation.
- 5 The Commission retains the discretion to sever the consolidated proceedings when doing so appears appropriate, and retains the discretion to enter separate orders in each docket on any or all matters put at issue.

NOTICE OF PREHEARING CONFERENCE

- 6 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 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, RCW 34.05.452, and RCW 34.05.455. The Commission has jurisdiction over this matter pursuant to Title 80 RCW, having legal authority to regulate the rates, services, and practices of water utilities. The statutes and rules involved, in addition to

those previously cited, include those within chapters 80.04 and 80.28 RCW and chapters 480-09 WAC and 480-110 WAC. The ultimate issue involved is whether AWR's rates are just and reasonable.

7 NOTICE IS HEREBY GIVEN That in accordance with WAC 480-09-700(1)(a), the Commission has determined that good cause exists for this matter to be heard upon shortened notice.

8 **NOTICE IS FURTHER GIVEN that a prehearing conference in this matter will be held at 1:30 p.m., on Tuesday, September 9, 2003, in the Commission's Hearing Room, Room 206, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

9 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.

10 Petitions to intervene should be made in writing prior to the hearing date or made orally at the hearing. The time and place for the evidentiary hearing will be set at the prehearing conference or by later written notice. Appearances will be taken.

11 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.

12 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.

13 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

Representative: Lisa Watson
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1186

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: Virgil Fox
American Water Resources, Inc.
921-B Middle Fork Road
Onalaska, WA 98570
(360) 978-6178

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

- 14 Karen M. Caillé is designated 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, pursuant to RCW 80.01.060, and will preside at the prehearing conference.
- 15 The Commission will provide at its offices in Olympia, Washington, current records of the hearing for the use of those who may wish to review them.
- 16 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 ____ day of August, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

PATRICK J. OSHIE, Commissioner

Inquires may be addressed to:

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

NOTICE

PLEASE BE ADVISED that the hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and that 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 designated below and returned to:

Carole J. Washburn, Executive Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P. O. Box 47250
Olympia, WA 98504-7250.

(SUPPLY ALL REQUESTED INFORMATION)

Docket No.: UW-010961 and UW-031284

Case Name: WUTC v. American Water Resources, Inc.

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter: (Yes) _____ (No) _____

Visual _____ Tactile _____

Other type of assistance needed: _____

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

Name: _____

Address: _____

Phone No.: (____) _____