

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

WASHINGTON UTILITIES AND)	DOCKET UW-090839
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	
)	
v.)	NOTICE OF PREHEARING
)	CONFERENCE
CRISTALINA, LLC,)	(Set for July 29, 2009, at 1:30 p.m.)
)	
Respondent.)	
)	
.....)	

1 On April 8, 2009, Cristalina, LLC (Cristalina or Company) filed with the Washington Utilities and Transportation Commission (Commission) a revision to its currently effective Tariff WN U-1 (Docket UW-090516), reflecting a surcharge to service a \$555,000 Drinking Water State Revolving Fund (DWSRF) loan approved by the Public Works Board (PWB). The Commission approved the surcharge effective June 1, 2009, in Docket UW-090516.

2 Staff’s initial review of the Company’s financial information in Docket UW-090516 showed that the Company’s current rates may generate more revenue than the Company requires to pay reasonable operating expenses and earn a reasonable return. Thus, Cristalina’s rates may be unjust and unreasonable.

3 On June 25, 2009, the Commission on its own motion, entered Order 01—Complaint Against Rates in Docket UW-090839.

4 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 80, and has legal authority to regulate the rates, services, and practices of water companies providing service within the state of Washington. The statutes that apply to this matter include RCW 80.01, RCW 80.04, and RCW 80.28, including but not limited to RCW 80.01.040, RCW 80.04.020, RCW 80.04.110, RCW 80.28.010, RCW 80.28.020, and RCW 80.28.040. The rules that apply to this matter include those within WAC 480-07 and WAC 480-110.

- 5 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.
- 6 The Commission commences an adjudicative proceeding for the following purposes: 1) to determine whether Cristalina's current rates and charges provide the Company with an excessive return; 2) to determine whether the Commission should set new rates and charges for Cristalina and require Cristalina to file revised tariffs that reflect those new rates and charges; 3) to determine whether Cristalina should be required to refund to customers any portion of rates charged after the effective date of this order; and 4) to make any other determinations and enter orders as may be just and reasonable.
- 7 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 1:30 p.m., on July 29, 2009, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** If you are unable to attend the prehearing conference in person, you may attend via the Commission's teleconference bridge line by dialing **(360) 664-3846**. Please appear on the teleconference bridge five minutes before the conference is scheduled to begin.
- 8 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence and workpapers, to, identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.
- 9 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See WAC 480-07-355(a)*. The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See WAC 480-07-345(2)*. Any party or witness in need of an interpreter or other assistance should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place

for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

10 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

11 The names and mailing addresses of all known 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: Jennifer Cameron-Rulkowski
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1186
jcameron@utc.wa.gov

Respondent: Cristalina LLC
Maria Lindberg, President/Manager
P.O. Box 2626
Bellingham, WA 98227
(360) 296-7318
mariarealtor@gmail.com

Representative: Unknown

12 Administrative Law Judge Marguerite E. Friedlander, from the Commission's Administrative Law Division, will preside during this proceeding.

- 13 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective July 2, 2009.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER
Executive Director and Secretary

Inquiries may be addressed to:

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

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, 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.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: David W. Danner, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

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.: (____) _____