

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

WASHINGTON UTILITIES AND)	DOCKET UW-101718
TRANSPORTATION)	
COMMISSION,)	ORDER 01
)	
Complainant,)	
)	
v.)	
)	
BURTON WATER COMPANY,)	
INC.,)	
)	COMPLAINT AND ORDER
Respondent.)	SUSPENDING TARIFF REVISION
.....)	

BACKGROUND

1 On October 20, 2010, Burton Water Company, Inc., (Burton Water or Company) filed with the Washington Utilities and Transportation Commission (Commission) a revision to its currently effective Tariff WN U-2, designated as Fifth Revised Sheet No. 22. The stated effective date is November 20, 2010.

2 In this filing, Burton Water would increase charges and rates for service by approximately \$58,785 or 38.2 percent. Burton Water has not responded to Staff’s data requests. Because those increases might injuriously affect the rights and interests of the public and Burton Water has not demonstrated that the increases would result in rates that are fair, just, reasonable and sufficient, the Commission suspends the tariff filing and will hold public hearings, if necessary, to determine whether the proposed increases are fair, just, reasonable and sufficient.

FINDINGS AND CONCLUSIONS

3 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including water companies.
RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.28.

- 4 (2) Burton Water is a water company and a public service company subject to Commission jurisdiction.
- 5 (3) This matter came before the Commission at its regularly scheduled meeting on November 10, 2010.
- 6 (4) The tariff revision Burton Water filed on October 20, 2010, would increase charges and rates for service provided by Burton Water, and might injuriously affect the rights and interest of the public.
- 7 (5) Burton Water has not yet demonstrated that the tariff revision would result in rates that are fair, just, reasonable and sufficient.
- 8 (6) In order to carry out the duties imposed upon the Commission by law, and as authorized in RCW 80.04.130, the Commission believes it is necessary to investigate Burton Water's books, accounts, practices and activities; to make a valuation or appraisal of Burton Water's property; and to investigate and appraise various phases of Burton Water's operations.
- 9 (7) As required by RCW 80.04.130(4), Burton Water bears the burden of proof to show that the proposed increases are fair, just, reasonable and sufficient.
- 10 (8) Burton Water may be required to pay the expenses reasonably attributable and allocable to such an investigation, consistent with RCW 80.20.

ORDER

THE COMMISSION ORDERS:

- 11 (1) The tariff revision Burton Water Company, Inc., filed on October 20, 2010, is suspended.
- 12 (2) The Commission will hold hearings at such times and places as may be required.
- 13 (3) Burton Water Company, Inc., must not change or alter the tariffs filed in this docket during the suspension period, unless authorized by the Commission.

- 14 (4) The Commission will institute an investigation of Burton Water Company, Inc.'s books, accounts, practices, activities, property and operations as described above.
- 15 (5) Burton Water Company, Inc., shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with RCW 80.20.

DATED at Olympia, Washington, and effective November 10, 2010.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFFREY D. GOLTZ, Chairman

PATRICK J. OSHIE, Commissioner