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1 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION

2 COMMISSION

3 WASHINGTON UTILITIES AND)
4 TRANSPORTATION COMMISSION,)

5 Complainant,)

6 vs.) DOCKET NO. UW-040414

7 SJM WATER SERVICES, INC.,) Volume I

8 Respondent.) Pages 1 - 5

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10 A prehearing conference in the above matter
11 was held on June 2, 2004, at 1:33 p.m., at 1300 South
12 Evergreen Park Drive Southwest, Olympia, Washington,
13 before Administrative Law Judge KAREN M. CAILLE.

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15 The parties were present as follows:

16 WASHINGTON UTILITIES AND TRANSPORTATION
17 COMMISSION, by JONATHAN THOMPSON, Assistant Attorney
18 General, 1400 South Evergreen Park Drive Southwest,
19 Post Office Box 40128, Olympia, Washington 98504;
20 telephone, (360) 664-1225.

21 SJM WATER SERVICES, INC., by RICHARD A.
22 FINNIGAN, Attorney at Law, 2405 Evergreen Park Drive
23 Southwest, Suite B-1, Olympia, Washington 98502;
24 telephone, (360) 956-7001.

25 Kathryn T. Wilson, CCR
Court Reporter

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1 P R O C E E D I N G S

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3 JUDGE CAILLE: We are here today for the
4 first prehearing conference in the proceeding docketed
5 as UW-040414. This is encaptioned, Washington
6 Utilities and Transportation Commission versus SJM
7 Water Services, Incorporated. This proceeding has been
8 initiated by the Commission to determine whether SJM is
9 subject to regulation under Chapter 80.28 RCW, and if
10 so, whether SJM's rates are fair, just, reasonable, and
11 sufficient.

12 My name is Karen Caille, and today is June
13 the 2nd, and we are convened in a hearing room in the
14 Commission's Olympia Washington offices. I'm the
15 administrative law judge that has been assigned to this
16 proceeding. Let's begin this afternoon with
17 appearances, and I assume everyone here knows the full
18 appearance form, so we will begin with you,
19 Mr. Finnigan.

20 MR. FINNIGAN: Richard A. Finnigan appearing
21 on behalf of the respondent. My address is 2405
22 Evergreen Park Drive Southwest, Suite B-1, Olympia,
23 Washington, 98502. The phone number is (360) 956-7001.
24 Fax is (360) 753-6862, and you my e-mail address is
25 rickfinn@ywave.com.

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1 JUDGE CAILLE: Thank you. For the
2 Commission?

3 MR. THOMPSON: I'm Jonathan Thompson,
4 assistant attorney general, representing the Commission
5 staff. My address is 1400 South Evergreen Park Drive
6 Southwest, Olympia, 98504. It's actually PO Box 40128,
7 and my phone number is (360) 664-1225. Fax is (360)
8 586-5522, and my e-mail address is
9 jthompso@wutc.wa.gov.

10 JUDGE CAILLE: Thank you. Let the record
11 reflect there are no other appearances. I've received
12 no petitions to intervene in this matter, and I don't
13 see any intervenors in the room, so let's move on to
14 discovery. Are the parties going to wish to invoke the
15 discovery rule?

16 MR. THOMPSON: That would be Staff's request,
17 yes.

18 JUDGE CAILLE: So in that case, the discovery
19 process as outlined in WAC 480-07-400 through 425 will
20 be available to you, and if you have any discovery
21 problems in this proceeding, I will be available to
22 consider those on an expedited basis by telephone. Is
23 there any need for a discovery cutoff date?

24 MR. FINNIGAN: I don't know if we even have a
25 schedule. Can we go off the record for a little bit?

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1 JUDGE CAILLE: Yes.

2 (Discussion off the record.)

3 JUDGE CAILLE: We've had an off-record
4 discussion that outlines how we will proceed in this
5 case, and perhaps I'll just ask Mr. Thompson to
6 summarize what we are planning to do and then
7 Mr. Finnigan can chime in.

8 MR. THOMPSON: The Commission issued an order
9 initiating a special proceeding and a complaint against
10 the Company's rates, and what we've proposed is to
11 proceed with two phases, the first one being the
12 jurisdictional issue. So at that point, we've decided
13 on a hearing date on jurisdictional issues just in the
14 event that we haven't agreed on those in the meantime,
15 and so I think we've agreed on a half-day hearing for
16 9:30 in the morning on July 15th. I think that's all
17 we will need to set as far as the procedural schedule
18 at this time.

19 JUDGE CAILLE: Depending on the outcome of
20 that hearing, we will know whether we need to schedule
21 anything further as far as the rate phase is concerned.

22 With that in mind, let's go ahead and take
23 care of the usual procedural matters that we take care
24 of at a prehearing conference so we won't have to do
25 this again. We have invoked the discovery rule, and

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1 it's my understanding that the parties would like to
2 have a protective order as well.

3 MR. FINNIGAN: Yes, Your Honor.

4 JUDGE CAILLE: Off the record, we discussed
5 that there would probably be about two witnesses for
6 the jurisdictional phase of this if need be. I doubt
7 we need to discuss any issues right now, and there
8 aren't any motions pending. I really have nothing
9 further. Just get this kicked off with the
10 jurisdictional hearing on July 15th at 9:30, and I
11 think we will go from there. Thank you.

12 (Prehearing concluded at 1:51 p.m.)

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