

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

WASHINGTON UTILITIES AND)	DOCKET NO. UW-041181
TRANSPORTATION)	
COMMISSION,)	ORDER NO. 01
)	
Complainant,)	
)	
v.)	
)	
MARBELLO WATER CO., INC.,)	
)	COMPLAINT AND ORDER
Respondent.)	SUSPENDING TARIFF REVISION
.....)	

BACKGROUND

- 1 On June 28,2004, Marbello Water Co., Inc., (Marbello Water or Company) filed with the Commission a revision to its currently effective Tariff WN U-1, designated as First Revised Sheet No. 26 Canceling Original Sheet No. 26 . The stated effective date is July 29, 2004. The tariff revision increases metered service rates.
- 2 The filing would increase charges and rates for service provided by Marbello Water. Because those increases might injuriously affect the rights and interests of the public and Marbello Water has not demonstrated that the increases would result in rates that are fair, just and reasonable, the Commission suspends the tariff filing and will hold public hearings if necessary to determine whether the proposed increases are fair, just and reasonable.

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, and transfers of public

service companies, including water companies. *RCW 80.01.040; Chapter 80.04 RCW; and Chapter 80.28 RCW.*

- 4 (2) Marbello Water is a water company and is a public service company subject to the jurisdiction of the Commission.
- 5 (3) This matter was brought before the Commission at its regularly scheduled meeting on July 28, 2004 .
- 6 (4) The tariff revision filed by Marbello Water on June 28, 2004, would increase charges and rates for service provided by Marbello Water, and might injuriously affect the rights and interest of the public.
- 7 (5) Marbello Water has not yet demonstrated that the tariff a revision would result in rates that are fair, just and reasonable.
- 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 Marbello Water's books, accounts, practices and activities; to make a valuation or appraisal of Marbello Water's property; and to investigate and appraise various phases of Marbello Water's operations.
- 9 (7) As required by RCW 80.04.130 (2), Marbello Water bears the burden of proof to show that the proposed increases are fair, just and reasonable.
- 10 (8) Marbello Water may be required to pay the expenses reasonably attributable and allocable to such an investigation to the extent the

requirements for such payment are in accordance with the provisions of Chapter 80.20 RCW.

ORDER

THE COMMISSION ORDERS:

- 11 (1) The tariff revision filed on June 28, 2004, is suspended.
- 12 (2) The Commission will hold hearings at such times and places as may be required.
- 13 (3) Marbello Water Co., 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 Marbello Water Co., Inc.'s books, accounts, practices, activities, property and operations as described above.
- 15 (5) Marbello Water Co., Inc., shall pay the expenses reasonably attributable and allocable to the Commission's investigation to the extent the requirements for such payment are in accordance with the provisions of Chapter 80.20 RCW.

DATED at Olympia, Washington, and effective this 28th day of July, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner