

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

WASHINGTON UTILITIES AND)	DOCKET NO. UW-051444
TRANSPORTATION)	
COMMISSION,)	ORDER NO. 01
)	
Complainant,)	
)	
v.)	
)	
Kayak Estates Water, LLC)	
)	COMPLAINT AND ORDER
Respondent.)	SUSPENDING TARIFF REVISIONS
.....)	

BACKGROUND

1 On September 26, 2005, Kayak Estates Water, LLC (Kayak Estates Water or Company) filed with the Commission revisions 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 October 27, 2005.

2 The filing would increase charges and rates for service provided by Kayak Estates Water. Because those increases might injuriously affect the rights and interests of the public and Kayak Estates 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) Kayak Estates 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 October 26, 2005.
- 6 (4) The tariff revisions filed by Kayak Estates Water on September 26, 2005, would increase charges and rates for service provided by Kayak Estates Water, and might injuriously affect the rights and interest of the public.
- 7 (5) Kayak Estates Water has not yet demonstrated that the tariff revisions 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 Kayak Estates Water's books, accounts, practices and activities; to make a valuation or appraisal of Kayak Estates Water's property; and to investigate and appraise various phases of Kayak Estates Water's operations.
- 9 (7) As required by RCW 80.04.130 (2), Kayak Estates Water bears the burden of proof to show that the proposed increases are fair, just and reasonable.

- 10 (8) Kayak Estates 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 revisions filed on September 26, 2005, are suspended.
- 12 (2) The Commission will hold hearings at such times and places as may be required.
- 13 (3) Kayak Estates Water, LLC, 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 Kayak Estates Water, LLC's books, accounts, practices, activities, property and operations as described above.
- 15 (5) Kayak Estates Water, LLC, 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 26th day of October, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner