

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

WASHINGTON UTILITIES AND	)	DOCKET NO. UW-040367
TRANSPORTATION COMMISSION,	)	
	)	ORDER NO. 06
Complainant,	)	
	)	
v.	)	ORDER SUSPENDING
	)	SCHEDULE
COUGAR RIDGE WATER SYSTEM,	)	
	)	
Respondent.	)	
.....	)	

1     **SYNOPSIS:** *The Commission suspends the schedule of proceedings in this case pending Grays Harbor Superior Court’s decision on the merits of Cougar Ridge’s petition for review of Order No. 03.*

2     **NATURE OF PROCEEDING.** Docket No. UW-040367 is a special proceeding to determine whether Cougar Ridge Water System (Cougar Ridge or the Company) is subject to regulation under Chapter 80. 28 RCW; and to determine whether, if Cougar Ridge is a company subject to regulation, its rates and charges are fair, just, reasonable and sufficient.

3     **BACKGROUND.** The Commission entered Order No. 03 on November 22, 2004, finding the Company subject to regulation. In that order the Commission directed the Company to file a tariff no later than December 22, 2004, to allow the Commission to determine whether the Company’s rates are fair, just, reasonable, and sufficient.

- 4 On December 15, 2004, the Commission entered Order No. 04, delaying the previously established tariff filing date because Cougar Ridge sought judicial review of Order No. 03 in Gray's Harbor County Superior Court and oral argument on Cougar Ridge's motion seeking a stay of Order No. 03 was scheduled in that court for January 10, 2005. It was expected that the court would rule from the bench on Cougar Ridge's motion. The Commission extended the date for Cougar Ridge's tariff filing to January 14, 2005, to allow Cougar Ridge sufficient time after the court's ruling to file its tariff. On February 1, 2005, the Commission further extended the tariff filing date to February 14, 2004 because the court had not yet ruled on Cougar Ridge's motion.
- 5 On February 2, 2005, the Grays Harbor Superior Court granted Cougar Ridge's motion to stay Order No. 03 during the pendency of the court's full review of the order.

**ORDER**

- 6 THE COMMISSION ORDERS That the schedule of proceedings be suspended pending completion of Grays Harbor Superior Court's review of Order No. 03.

DATED at Olympia, Washington and effective this 9th day of February, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

PATRICK J. OSHIE, Commissioner