

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

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|-------------------------------|---|-----------------------------------|
| SIL AND CANDY ARATA, HAHN |) | DOCKET UW-102014 |
| AND KIM BAHNG, BRIG AND |) | |
| PATTIE BELVIN, DICK AND PATTI |) | |
| BLIDE, JIM AND LYNETTE |) | |
| CALDWELL, KRIS AND CAROLYN |) | |
| CHRISTIANSON, TED AND DELL |) | NOTICE OF PREHEARING |
| HALLER, BILL AND ALTHEA |) | CONFERENCE |
| HEAGY, VERN HERIOTT AND |) | (Set for February 3, 2011, |
| LARRY HUFFMAN, DAVE AND |) | at 1:30 p.m.) |
| DOROTHY JOHNSON, SHINWON |) | |
| AND JEONKAK KIM, JAN AND |) | |
| ROBIN KRANE, ROBERT AND |) | |
| DIANA NEHLS, PHIL AND |) | |
| CAROLYN ROBBINS, CHUCK AND |) | |
| DIA TADLOCK, BILL AND CAROL |) | |
| WELCH, RON AND ROXANNE |) | |
| OLSON, JERRY AND PHOEBE |) | |
| BENNETT, AND ALAN AND |) | |
| SUSAN CAMERON, |) | |
| |) | |
| Complainants, |) | |
| |) | |
| v. |) | |
| |) | |
| GREEN MOUNTAIN H2O LLC, |) | |
| |) | |
| Respondent. |) | |
| |) | |
| |) | |

1 On December 16, 2010, Sil and Candy Arata, Hahn and Kim Bahng, Brig and Pattie Belvin, Dick and Patti Blide, Jim and Lynette Caldwell, Kris and Carolyn Christianson, Ted and Dell Haller, Bill and Althea Heagy, Vern Heriott and Larry Huffman, Dave and Dorothy Johnson, Shinwon and Jeonkak Kim, Jan and Robin Krane, Robert and Diana Nehls, Phil and Carolyn Robbins, Chuck and Dia Tadlock,

Bill and Carol Welch, Ron and Roxanne Olson, Jerry and Phoebe Bennett, and Alan and Susan Cameron (Complainants) filed with the Washington Utilities and Transportation Commission (Commission) a formal complaint against Green Mountain H2O LLC (Green Mountain or Respondent). The Complainants are homeowners in Columbia Crest Estates and customers in Green Mountain's service area. The Respondent is a public service company operating a Group A water system in Kalama, Washington (Cowlitz County). The Complainants allege the Respondent is providing improper and inadequate water service. A more detailed account of the dispute is reflected in the Complaint which is available for inspection at the Commission's office located at Richard Hemstad Building, 1300 S. Evergreen park Drive, S.W., Olympia, Washington and on the Commission's web site at www.utc.wa.gov/102014.

- 2 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 80, and has legal authority to regulate the rates, services, and practices of water companies providing service within the state of Washington. Statutes and rules cited in the complaint include RCW 80.04.440, RCW 80.28.040, RCW 70.119.030, WAC 480-110-395, WAC 480-110-365, WAC 480-110-315, WAC 246-290-200, WAC 246-290-300, WAC 246-290-310, WAC 246-290-320, WAC 246-290-020, WAC 246-290-415, WAC 246-290-480, WAC 246-292-050, and WAC 246-294-040. The statutes involved, in addition to those previously cited, include those within RCW 80.01, RCW 80.04, and RCW 80.28, including but not limited to RCW 80.01.040, RCW 80.04.020, and RCW 80.28.020. The rules that apply to this matter include those within WAC 480-07 and WAC 480-110.
- 3 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.
- 4 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 1:30 p.m., on Thursday, February 3, 2011, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** The Commission encourages complainants to appear in person at the prehearing conference. The Complainants must designate one or more persons to attend the prehearing conference in person. In order to verify the continued interest of the Complainants that do not attend in person,

it will be necessary for those Complainants to call in by telephone at the time of the prehearing to enter their appearances. Otherwise they will risk being found in default and their complaints dismissed. **Note: Each Complainant, or his or her attorney, in this case MUST attend the prehearing conference either by telephone (360-664-3846) or in person.** Because there are limited spaces on the phone system, Complainants who will not be attending in person should form groups, with each group using only one phone connection to the Commission. The Commission encourages the Complainants to coordinate with each other regarding their participation in this proceeding.

5 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence and workpapers, to identify the specific issues in the proceeding, and to discuss and determine any other matters that might assist the Commission in resolving the matter, as listed in WAC 480-07-430.

6 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See WAC 480-07-355(a).* The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See WAC 480-07-345(2).* Any party or witness in need of an interpreter or other assistance should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

7 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

8 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainants: Sil and Candy Arata
442 Varsity Road
Kalama, WA 98625

Hahn and Kim Bahng
151 Varsity Road
Kalama, WA 98625

Brig and Pattie Belvin
461 Varsity Road
Kalama, WA 98625

Dick and Patti Blide
813 Varsity Road
Kalama, WA 98625

Jim and Lynette Caldwell
30 Varsity Road
Kalama, WA 98625

Alan and Susan Cameron
212 Varsity Road
Kalama, WA 98625

Kris and Carolyn Christianson
242 Varsity Road
Kalama, WA 98625

Ted and Dell Haller
573 Varsity Road
Kalama, WA 98625

Bill and Althea Heagy
704 Varsity Road
Kalama, WA 98625

Vern Heriott and
Larry Huffman
619 Varsity Road
Kalama, WA 98625

Dave and Dorothy Johnson
278 Varsity Road
Kalama, WA 98625

Shinwon and Jeongkak Kim
176 Varsity Road
Kalama, WA 98625

Jan and Robin Krane
62 Varsity Road
Kalama, WA 98625

Robert and Diana Nehls
756 Varsity Road
Kalama, WA 98625

Phil and Carolyn Robbins
438 Varsity Road
Kalama, WA 98625

Chuck and Dia Tadlock
269 Varsity Road
Kalama, WA 98625

Bill and Carol Welch
303 Varsity Road
Kalama, WA 98625

Ron and Roxanne Olson
367 Varsity Road
Kalama, WA 98625

Jerry and Phoebe Bennett
465 Varsity Road
Kalama, WA 98625

Respondent: Green Mountain H2O LLC
Dan Class
759 Varsity Road
Kalama, WA 98625

Commission: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Representative: Michael A. Fassio
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1192

9 Administrative Law Judge Adam E. Torem, from the Commission's Administrative Law Division, will preside during this proceeding.

10 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective January 12, 2011.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: David W. Danner, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____