

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

In re Penalty Assessment No.)	DOCKET UW-060986
UW-060986)	
)	ORDER 01
South Bainbridge Water System, Inc.)	
)	
)	ORDER RESCINDING \$100 PENALTY
.....)	

- 1 On June 30, 2006, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment against South Bainbridge Water System, Inc. in the amount of \$100 for a violation of Washington Administrative Code 480-110-505, which requires water companies to file annual reports with the Commission by May 1 of each year. In the penalty assessment order the Commission alleged the companies failed to file their 2005 annual report by the May 1 deadline.

- 2 The Commission received applications for mitigation of the penalties from companies alleging confusion with the due date for the annual report. The companies felt a postmark of May 1 would be in compliance with the rule. In addition, companies have alleged their report was mailed timely and was delayed through no fault of their own.


- 3 Although the rule states the annual reports must be filed with the Commission by May 1, not postmarked by May 1, in the interest of efficiently resolving these disputes the Commission rescinds the \$100 penalty issued to South Bainbridge Water System, Inc. as it appears reasonable to believe the annual report was mailed on or before May 1.

ORDER

- 4 The Commission rescinds the \$100 penalty issued in the original order in this docket to South Bainbridge Water System, Inc. for failure to file the 2005 annual report by May 1, 2006. Staff will revise its records to show there is no amount due from the company.

DATED at Olympia, Washington and effective July 24, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION



DENNIS J. MOSS
Administrative Law Judge