

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

WASHINGTON UTILITIES AND	)	DOCKET UW-091037
TRANSPORTATION	)	
COMMISSION,	)	ORDER 01
	)	
Complainant,	)	
	)	
v.	)	
	)	
MARBELLO WATER CO., INC.,	)	
	)	COMPLAINT AND ORDER
Respondent.	)	SUSPENDING TARIFF REVISIONS
.....	)	

**BACKGROUND**

- 1 On June 29, 2009, Marbello Water Co., Inc. (Marbello Water or Company), filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-1, designated as First Revision of Sheet No. 2 Canceling Original Sheet No. 2; First Revision of Sheet No. 7 Canceling Original Sheet No. 7; Second Revision of Sheet No. 9 Canceling First Revision Sheet No. 9; First Revision of Sheet No. 14 Canceling Original Sheet No. 14; Original Sheet No. 14.1; Original Sheet No. 16; Original Sheet No. 17 and First Revision of Sheet No. 23 Canceling Original Sheet No. 23. The filing proposes to increase ancillary charges for Reconnection, Late Payment, Cross Connection Site Visit and Cross Connection Premise Inspection, and to add new charges for NSF Check, Service Visit / Account Set-Up, and Initial Meter Reading. The tariff updates include clarifying rules related to irrigation and adding language on limitation of liability. The Company serves about 97 customers on one water system located in Snohomish County. The original proposed effective date was July 31, 2009. On July 15, 2009, the Company filed to extend the effective date to August 15, 2009. The Company extended the effective date to September 1, 2009, by filings on July 15, 2009, and August 6, 2009.
- 2 In this filing, Marbello Water would increase charges and rates for service. 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, reasonable and sufficient, the Commission suspends the tariff filing and will hold public hearings, if necessary, to determine whether the proposed increases are fair, just, reasonable and sufficient.

### 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, transfers of property and affiliated interests of public service companies, including water companies.  
*RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.28.*
- 4 (2) Marbello Water is a water company and a public service company subject to Commission jurisdiction.
- 5 (3) This matter came before the Commission at its regularly scheduled meeting on August 27, 2009.
- 6 (4) The tariff revisions Marbello Water filed on June 29, 2009, 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 revisions would result in rates that are fair, just, reasonable and sufficient.
- 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(4), Marbello Water bears the burden of proof to show that the proposed increases are fair, just, reasonable and sufficient.
- 10 (8) Marbello Water may be required to pay the expenses reasonably attributable and allocable to such an investigation, consistent with RCW 80.20.

**ORDER**

**THE COMMISSION ORDERS:**

- 11 (1) The tariff revisions Marbello Water Co., Inc., filed on June 29, 2009, are  
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, consistent with RCW 80.20.

DATED at Olympia, Washington, and effective August 27, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFFREY D. GOLTZ, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner