

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

In the Matter of the Petition of)	DOCKET NO. UW-050324
)	
South Bainbridge Water Systems, Inc.,)	ORDER NO. 01
)	
Petitioner,)	
)	
Seeking Exemption from the Provisions of WAC 480-110-445(5))	
Relating to Service Connections and Customer Service Lines)	ORDER GRANTING EXEMPTION FROM RULE
.....)	

BACKGROUND

- 1 On March 1, 2005, South Bainbridge Water Systems, Inc., (South Bainbridge Water or the Company) filed a petition requesting exemption from WAC 480-110-445(5).
- 2 WAC 480-110-445(5), requires that water companies install the service connection to the property line, property corner, or to a location on the property mutually agreed upon. The Company may install a meter or valve at any point along the service connection line or at a different mutually agreed location provided that in such event, the property line will nevertheless be deemed the point of delivery.
- 3 South Bainbridge Water proposes that homeowners for two back lots maintain their own service lines that run down a private road. It would be much more costly for the Company to extend its main down the private road and install connections along the main at the point that the main enters the lots. The Company requests that point of delivery would be at the meters located at 3746 West Blakely Avenue in front of the two back lots. The Company requests a

waiver from the requirement that the property lines of the two lots be considered the point of delivery.

- 4 The Company provided a copy of the prospective water system extension agreement that states, in part, that customers shall be solely responsible for construction, repair, maintenance, replacement or work of any nature whatsoever required for the service line between the meter and the residence on each specific lot. Customers warrant and represent that they shall include such covenant and condition in the recorded short plat with language subject to prior written approval of owner.
- 5 Commission Staff reviewed the request and recommended granting South Bainbridge Water's request for exemption, subject to the condition that all parties have in place a mutually agreed written acknowledgement of responsibility for service connection lines.

FINDINGS AND CONCLUSIONS

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, 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.*
- 7 (2) South Bainbridge Water is engaged in the business of providing water services within the state of Washington and is a public service company subject to the jurisdiction of the Commission under the provisions of Chapter 80.28 RCW.

- 8 (3) South Bainbridge Water is subject to the provisions of WAC 480-110-445(5), requiring that water companies install the service connection to the property line, property corner, or to a location on the property mutually agreed upon. The Company may install a meter or valve at any point along the service connection line or at a different mutually agreed location provided that in such event the property line will nevertheless be deemed the point of delivery.
- 9 (4) WAC 480-110-215 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-110 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 10 (5) This matter was brought before the Commission at its regularly scheduled meeting on April 13, 2005.
- 11 (6) After review of the petition filed in Docket UW-050324 by South Bainbridge Water on March 1, 2005, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 12 (1) After the effective date of this Order, South Bainbridge Water Systems, Inc., is granted an exemption from WAC 480-110-445(5), Relating to Service Connections and Customer Service lines for the two back lots specified in its petition.

- 13 (2) This exemption is subject to the condition that all parties have in place a mutually agreed written acknowledgement of responsibility for service connection lines and customer service line.
- 14 (3) The Commission retains jurisdiction over the subject matter and South Bainbridge Water Systems, Inc., to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 13th day of April, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary