

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

WASHINGTON UTILITIES AND)	DOCKET UW-090819
TRANSPORTATION)	
COMMISSION,)	ORDER 01
)	
Complainant,)	
)	
v.)	
)	
AQUARIUS UTILITIES, LLC,)	
)	COMPLAINT AND ORDER
Respondent.)	SUSPENDING TARIFF REVISIONS
.....)	

BACKGROUND

- 1 On May 26, 2009, Aquarius Utilities, LLC, (Aquarius or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-1. The stated effective date is July 13, 2009. The Company serves 879 water customers located in Clallam, Kitsap and Mason counties. The proposed rates are prompted by increases in operating and administrative cost such as payroll, depreciation, insurance and county permitting fees since the last rate increase. The Company’s last general rate increase became effective on August 15, 2008.
- 2 In this filing, Aquarius would increase charges and rates for service by approximately \$50,000 or 11 percent. Aquarius is also seeking to increase its Facilities Charge from \$1,450 to \$2,950. A facilities charge is a one-time charge assessed to new customers for capital costs to pay for capital improvements required to serve new customers.
- 3 Because those increases might injuriously affect the rights and interests of the public and Aquarius 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

- 4 (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.*

- 5 (2) Aquarius is a water company and a public service company subject to
Commission jurisdiction.
- 6 (3) This matter came before the Commission at its regularly scheduled meeting on
June 25, 2009.
- 7 (4) The tariff revisions Aquarius filed on May 26, 2009, would increase charges and
rates for service provided by Aquarius, and might injuriously affect the rights and
interest of the public.
- 8 (5) Aquarius has not yet demonstrated that the tariff revisions would result in rates
that are fair, just, reasonable and sufficient.
- 9 (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 Aquarius's books, accounts, practices and activities; to make a
valuation or appraisal of Aquarius's property; and to investigate and appraise
various phases of Aquarius's operations.
- 10 (7) As required by RCW 80.04.130(4), Aquarius bears the burden of proof to show
that the proposed increases are fair, just, reasonable and sufficient.
- 11 (8) Aquarius may be required to pay the expenses reasonably attributable and
allocable to such an investigation, consistent with RCW 80.20.

ORDER

THE COMMISSION ORDERS:

- 12 (1) The tariff revisions Aquarius Utilities, LLC, filed on May 26, 2009, are
suspended.

- 13 (2) The Commission will hold hearings at such times and places as may be required.
- 14 (3) Aquarius Utilities, LLC, must not change or alter the tariffs filed in this docket during the suspension period, unless authorized by the Commission.
- 15 (4) The Commission will institute an investigation of Aquarius Utilities, LLC's books, accounts, practices, activities, property and operations as described above.
- 16 (5) Aquarius Utilities, LLC, shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with RCW 80.20.

DATED at Olympia, Washington, and effective June 25, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFFREY D. GOLTZ, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner