

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	)	DOCKET UW-130290
	)	
SWIFT ASSET MANAGEMENT,	)	ORDER 01
INC., DBA MARVIN ROAD WATER	)	
COMPANY,	)	
	)	
Petitioner,	)	
	)	
Seeking Exemption from the	)	ORDER GRANTING
Provisions of WAC 480-07-530	)	EXEMPTION FROM RULE AND
Relating to Work Paper Filing	)	REQUIRING REPORTING
Requirements	)	UNDER WAC 480-110-455(4)
.....	)	

**BACKGROUND**

- 1     On February 25, 2013, Swift Asset Management, Inc., dba Marvin Road Water Company (Marvin Road or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions that would increase rates and generate \$36,845 (26.4 percent) additional annual revenue. The proposed three-year surcharge is designed to recover the cost of a failed water distribution line, expenses for emergency temporary repairs, emergency field repairs and to replace corrosion control treatment media. The proposed effective date is March 29, 2013. The Company serves 246 customers on three water systems located in Thurston County. The Company’s last general rate increase became effective on April 1, 2004.
- 2     The proposed surcharge falls within the definition of a general rate increase pursuant to WAC 480-07-505. WAC 480-07-530 lists the minimum required information the Company must provide in a general rate increase filing. The Company provided information pertinent to costs associated with the proposed surcharge but did not provide the remainder of the information required by the rule and requested an exemption from the work paper filing requirements of WAC 480-07-530(4).
- 3     WAC 480-07-110 allows the Commission to grant an exemption from or modify the application of its rules if consistent with the public interest, the purposes underlying regulation, and applicable statutes.
- 4     Commission Staff reviewed the proposed surcharge and found that some of the expenses are recurring and, therefore, should be recovered in general rates, not a surcharge. Staff

and the Company agreed to a lower surcharge requirement and on March 18, 2013, the Company filed revised rates at staff-recommended levels.

- 5 Marvin Road filed this surcharge under WAC 480-110-455, Water company funding mechanisms. Section 4 directs that funds collected must be held in a separate account, do not become the property of company owners and may not be disbursed except as part of this surcharge filing. The water company must report for each tariffed surcharge the following information to the commission within sixty days of the end of the calendar quarter:
- (a) Beginning balance;
  - (b) Amounts received, detailed by source;
  - (c) Amounts spent, detailed by project or expense;
  - (d) Ending balance;
  - (e) Reconciliation of bank balance to general ledger.

- 6 Commission Staff recommended that the Commission allow the revised tariff revision filed on March 18, 2013, to become effective by operation of law, grant the Company's request for an exemption from WAC 480-07-530(4), work paper filing requirements, for this filing, and order the Company to file quarterly reports as required by WAC 480-110-455(4).

### **DISCUSSION**

- 7 The Commission agrees with Commission Staff's recommendations. The Commission accepts Staff's analysis of the Company's filing and will allow the revised tariff revision filed on March 18, 2013, to become effective by operation of law. In addition, an exemption from general rate increase filing requirements set forth in WAC 480-07-530(4) is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes. Finally, the Company must file quarterly reports as required by WAC 480-110-455(4).

### **FINDINGS AND CONCLUSIONS**

- 8 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, 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.

- 9 (2) Marvin Road is engaged in the business of providing water services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 10 (3) Marvin Road is subject to the filing requirements of WAC 480-07-530, for general rate increase proposals. The Company requested an exemption from WAC 480-07-530(4).
- 11 (4) Under WAC 480-07-110, the Commission may grant an exemption from the provisions of any rule in WAC 480-07, if consistent with the public interest, the purpose underlying regulation and applicable statutes.
- 12 (5) Marvin Road is subject to WAC 480-110-455(4), which requires water companies to file quarterly reports for surcharge funding mechanisms.
- 13 (6) This matter came before the Commission at its regularly scheduled meeting on March 28, 2013.
- 14 (7) After review of the tariff revisions filed in Docket UW-130290 by Marvin Road on January 20, 2025, and giving due consideration, the Commission finds:
- (a) The Company's request for an exemption from general rate increase filing requirements set forth in WAC 480-07-530(4) is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted;
  - (b) It is in the public interest to allow the revised tariff revisions filed on March 18, 2013, to become effective on March 29, 2013, by operation of law.

## **ORDER**

### **THE COMMISSION ORDERS:**

- 15 (1) After the effective date of this Order, the Commission grants Swift Asset Management, Inc., dba Marvin Road Water Company's request for an exemption from WAC 480-07-530(4), for purposes of the tariff revisions filed in this docket.

- 16 (2) The Commission takes no action on the tariff revisions implementing the surcharge increase and allows them to become effective on March 29, 2013, by operation of law.
- 17 (3) The Commission retains jurisdiction over the subject matter and Swift Asset Management, Inc., dba Marvin Road Water Company to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective March 28, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chairman

PHILIP B. JONES, Commissioner

JEFFREY D. GOLTZ, Commissioner