

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of CANYON LAKES WATER COMPANY, LLC, Petitioner, Seeking Exemption from the Provisions of WAC 480-110-375	DOCKET UW-210306 ORDER 01 GRANTING EXEMPTION FROM RULE
---	---

BACKGROUND

- 1 On May 4, 2021, Canyon Lakes Water Company, LLC (Canyon Lakes Water) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an exemption from WAC 480-110-375 (Petition).
- 2 WAC 480-110-375(1)(a) provides that water company customer bills must be issued at intervals not to exceed three months and must identify if the water company is billing in arrears or in advance.
- 3 Canyon Lakes Water also filed an initial tariff with irrigation rates and explained in its filing that irrigation water bills are issued annually by other irrigation providers in the area. The Company and its customers believe the Company should also issue bills on an annual basis.
- 4 Commission Staff reviewed the request and recommends granting Canyon Lakes Water’s request for exemption from WAC 480-110-375, which will allow the Company to bill its customers on an annual basis.

DISCUSSION

- 5 We grant the Company’s Petition and authorize the Company to bill its customers annually. Under WAC 480-07-110(1), the Commission may grant an exemption from any of its rules if doing so is consistent with the public interest, the purposes underlying regulation, and applicable statutes. We find that the Company’s Petition meets these requirements.

6 WAC 480-110-375 allows companies to bill monthly, bi-monthly, or quarterly depending
on the company's chosen billing cycle. It is customary for irrigation providers in eastern
Washington, however, to bill on an annual basis because rates are typically billed as a flat
amount fixed by acreage, or, in this case, the entire amount of water provided by the
Kennewick Irrigation District during the irrigation season. Annual billing saves
administrative costs, which lowers rates, and is more convenient for customers, who only
need to make one payment. Because of the un-metered, flat rate charge and the cost
savings associated with annual billings, we agree with Staff that it is reasonable to permit
the Company to continue billing on an annual basis. Accordingly, we find that the
Petition for exemption is consistent with the public interest, the purposes underlying
regulation, and applicable statutes, and conclude that it should be granted.

FINDINGS AND CONCLUSIONS

- 7 (1) The 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.
- 8 (2) Canyon Lakes Water is engaged in the business of providing irrigation water
services within the state of Washington and is a public service company subject to
Commission jurisdiction.
- 9 (3) Canyon Lakes Water is subject to WAC 480-110-375, which requires water
companies issue water bills at intervals not to exceed three months and identify if
the water company is billing in arrears or advance.
- 10 (4) Under WAC 480-110-215, the Commission may grant an exemption from the
provisions of any rule in WAC 480-110 if doing so is consistent with the public
interest, the purposes underlying regulation, and applicable statutes. See also WAC
480-07-110.
- 11 (5) This matter came before the Commission at its regularly scheduled meeting on
December 9, 2021.
- 12 (6) After reviewing Petition filed in Docket UW-210306 by Canyon Lakes Water on
May 4, 2021, as revised on November 23, 2021, and giving due consideration, the
Commission finds that the exemption is in the public interest, that it is consistent

with purposes underlying the regulation and applicable statutes, and that it should be granted.

ORDER

THE COMMISSION ORDERS:

- 13 (1) Canyon Lakes Water Company, LLC's Petition for Exemption from WAC 480-110-375 is granted, and Canyon Lakes Water Company, LLC, is authorized to bill its customers on an annual basis.
- 14 (2) The Commission retains jurisdiction over the subject matter and Canyon Lakes Water Company, LLC, to effectuate the provisions of this Order.

DATED at Lacey, Washington, and effective December 9, 2021.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chair

ANN E. RENDAHL, Commissioner

JAY M. BALASBAS, Commissioner