



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION  
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250  
(360) 664-1160 • [www.utc.wa.gov](http://www.utc.wa.gov)

September 3, 2014

**NOTICE OF OPEN MEETING**  
**(To be Held Thursday, September 11, 2014)**

RE: *Washington Utilities and Transportation Commission v. Cristalina LLC*,  
Docket UW-090516

TO ALL PARTIES AND INTERESTED PERSONS:

On April 8, 2009, Cristalina LLC (Cristalina or Company) filed a request with the Washington Utilities and Transportation Commission (Commission) to bill and collect a surcharge of \$32.00 per month from each customer, designated as Docket UW-090516. The Company sought the surcharge to service a \$555,000 loan from the Drinking Water State Revolving Fund (DWSRF) approved by the Public Works Board to fund capital improvement projects.

On May 28, 2009, the Commission entered Order 01 granting Cristalina the authority to impose the surcharge subject to a several conditions. Among those conditions is the following requirement:

Surcharge funds and facilities charge funds (if any) collected and interest earned upon such funds must be held in a separate reserve account by the Company for the benefit of customers. Such funds do not become the property of the Company or Company owners and may not be disbursed, alienated, attached, or otherwise encumbered by the Company or its owners.<sup>1</sup>

On September 2, 2014, Commission Staff (Staff) filed a motion in this and three other dockets involving Cristalina, requesting among other relief that the Commission amend or revoke Order 01 in this docket to terminate the customer surcharge. Staff states that Company owner Maria K. Lindberg has admitted she is diverting the surcharge funds to

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<sup>1</sup> Order 01 ¶ 17, Findings and Conclusions ¶ (8)(c).

purposes other than repaying the DWSRF loan, and thus, according to Staff, Cristalina no longer has, or should have, the authority to continue to collect the surcharge. Staff proposes that the Commission order Ms. Lindberg to revise the Company's bills to remove the surcharge, contact each customer to instruct them not to pay the surcharge, and refund any amounts customers submit to the Company that are attributable to the surcharge.<sup>2</sup>

The Commission will address Order 01 and Cristalina's authority to impose the customer surcharge at the Commission's regular open public meeting scheduled for **Thursday, September 11, 2014, beginning at 9:30 a.m.** at the Commission's headquarters, Room 206, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The Commission invites representatives from the Public Works Board and the Washington Department of Health to attend the open meeting and provide their views on these issues.

Any questions regarding this Notice should be directed to Amy White, by email at [awhite@utc.wa.gov](mailto:awhite@utc.wa.gov) or by calling (360) 664-1247.

STEVEN V. KING  
Executive Director and Secretary

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<sup>2</sup> Dockets UW-090516, UW-132013, UW-140820 & UW 141301, Commission Staff's Motion for an Order: (1) Appointing Receiver, (2) Terminating Collection of Monthly Surcharge, (3) Referring Matter to Local Prosecutor, (4) Inviting Participation of Department of Health and Public Works Board, and (5) Requiring Attendance at Deposition ¶¶ 4-5.