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BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

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WASHINGTON UTILITIES AND	)
TRANSPORTATION COMMISSION,	)Docket UW-060343
Complainant,	)Volume III
	)Pages 99-106
v.	)
	)
ILIAD WATER SERVICE, INC.,	)
Respondent.	)

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A hearing in the above-entitled matter was held at 10:00 a.m. on Thursday, November 9, 2006, at 1300 South Evergreen Park Drive, S.W., Olympia, Washington, before Administrative Law Judge PATRICIA CLARK.

The parties present were as follows:

ILIAD WATER SERVICE, INC., by Richard Finnigan, Attorney at Law, 2112 Black Lake Boulevard, S.W., Olympia, Washington 98512.

COMMISSION STAFF, by Michael Fassio, Assistant Attorney General, 1400 S. Evergreen Park Drive, S.W., P.O. Box 40128, Olympia, Washington, 98504-0128.

Barbara L. Nelson, CCR  
Court Reporter

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RICHARD P. SARVER

6

Direct Examination by Mr. Fassio

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(No Exhibits Marked or Offered.)

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1           JUDGE CLARK: Good morning. It's  
2 approximately 10:00 a.m., November 9th, 2006, in the  
3 Commission's hearing room in Olympia, Washington.  
4 This is the time and the place set for continuation  
5 of the hearing in Docket UW-060343. Patricia Clark,  
6 Administrative Law Judge for the Commission,  
7 presiding.

8           At this time, I'll take appearances on  
9 behalf of the parties. Appearing on behalf of the  
10 Commission Staff?

11           MR. FASSIO: Michael Fassio, Assistant  
12 Attorney General.

13           JUDGE CLARK: Thank you, Mr. Fassio. And  
14 appearing on behalf of Iliad Water Services, Inc.?

15           MR. FINNIGAN: Richard Finnigan.

16           JUDGE CLARK: Thank you, Mr. Finnigan. When  
17 we recessed yesterday morning, I believe the  
18 Commission Staff had presented all of its witnesses  
19 except for one; is that correct, Mr. Fassio?

20           MR. FASSIO: That is correct.

21           JUDGE CLARK: All right. Would the  
22 Commission Staff call their next witness, please?

23           MR. FASSIO: Staff calls Mr. Richard Sarver.

24           JUDGE CLARK: Mr. Sarver, if you'd raise  
25 your right hand, please?

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1 Whereupon,

2 RICHARD P. SARVER,

3 having been first duly sworn, was called as a witness

4 herein and was examined and testified as follows:

5 JUDGE CLARK: Thank you. Mr. Fassio.

6

7 D I R E C T E X A M I N A T I O N

8 BY MR. FASSIO:

9 Q. Good morning. Would you please state your  
10 name for the record, spelling your last name?

11 A. Richard Sarver. The spelling is  
12 S-a-r-v-e-r.

13 Q. And who is your employer?

14 A. Washington State Department of Health.

15 Q. And what is your business address?

16 A. It's 243 Israel Road, S.E., in Tumwater.

17 Q. What is your position with the Department of  
18 Health?

19 A. I manage the Water System Support Section in  
20 the Office of Drinking Water, and among other  
21 programs, it includes financial assistance and the  
22 Drinking Water State Revolving Fund program.

23 Q. And are you testifying on behalf of  
24 Department of Health in this proceeding?

25 A. Yes, I am.

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1 Q. Who called you as a witness here today?

2 A. UTC.

3 Q. In your duties with the Water System Support  
4 Section, did you prepare the testimony marked as  
5 Exhibit 64, or was it prepared under your supervision  
6 and direction?

7 A. Yes, it was.

8 Q. And the exhibits that follow, 65 through 73,  
9 were those prepared under your supervision and  
10 direction or did you prepare them, as well?

11 A. Yes, that's correct.

12 Q. And if I asked you the questions that appear  
13 in your testimony, would you give the answers that  
14 appear there?

15 A. Yes, I would.

16 Q. Are the answers true, to the best of your  
17 knowledge?

18 A. Yes, they are.

19 MR. FASSIO: Since we have already  
20 stipulated to the admission of Exhibits 64 through  
21 73, the Witness is available for cross-examination.

22 JUDGE CLARK: Thank you, Mr. Fassio. Mr.  
23 Finnigan.

24 MR. FINNIGAN: The Company has no cross.

25 JUDGE CLARK: Thank you. Thank you for your

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1 testimony, Mr. Sarver.

2 THE WITNESS: Okay.

3 JUDGE CLARK: The only other matter I think  
4 we need to address on the record this morning is the  
5 issue of post-hearing briefing, and I think we need  
6 to set a deadline for the parties to submit briefing.

7 MR. FINNIGAN: I believe there's a deadline  
8 already set in the case schedule, Your Honor.

9 JUDGE CLARK: Is there one already in the  
10 schedule, Mr. Finnigan?

11 MR. FASSIO: I believe it's the 29th.

12 MR. FINNIGAN: 29th of November, I believe  
13 is correct.

14 JUDGE CLARK: Okay. Let me check that to  
15 make sure. That was the only issue I was thinking --

16 MR. FINNIGAN: Yeah, November 29th.

17 JUDGE CLARK: Ah, you are correct, November  
18 29th. And the parties need to know that if you wish  
19 to obtain a transcript from yesterday's proceeding,  
20 as well as this morning's proceeding, it's necessary  
21 for you to contact the court reporter.

22 Is there anything further that should be  
23 considered on this morning's record?

24 MR. FINNIGAN: The only thing that I can  
25 offer, Your Honor, is if Commission Staff wants to,

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1 we're perfectly willing to move that briefing date  
2 up. We don't -- we will not need that much time.

3 JUDGE CLARK: All right. Well, the November  
4 29th is the deadline. And if the parties elect to  
5 file briefing earlier than that, it simply makes the  
6 matter ripe for adjudication sooner, but --

7 MR. FASSIO: I believe Commission Staff  
8 still has set November 29th as an appropriate date,  
9 given the open meeting -- or the public meeting that  
10 we have in this docket, so I think Commission Staff  
11 would prefer to leave that as the 29th for the time  
12 being.

13 JUDGE CLARK: All right. Well, that is the  
14 deadline, and if you elect to submit your briefing  
15 earlier, that's certainly permissible, obviously.  
16 Yes, there is -- and just serving as a reminder, we  
17 do have a public hearing in Eatonville next week, and  
18 that is an evening hearing to allow consumers the  
19 opportunity to provide comment on the proposal to  
20 modify the tariff.

21 MR. FASSIO: Could I have a moment with  
22 Staff to consult if any final matters are --

23 JUDGE CLARK: Certainly. We'll take a  
24 moment off record.

25 (Recess taken.)

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1           JUDGE CLARK: All right. We're back on the  
2 record. Are there any further matters we need to  
3 address at this morning's proceeding? Hearing  
4 nothing, we are adjourned. Thank you very much.

5           MR. FASSIO: Thank you.

6           JUDGE CLARK: Thank you.

7           (Proceedings adjourned at 10:05 a.m.)

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