

[Service Date November 18, 2004]

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

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	DOCKET NO. UW-031284 &
)	DOCKET NO. UW-010961
Complainant,)	(consolidated)
)	
v.)	
)	
AMERICAN WATER RESOURCES,)	
INC.,)	
)	
Respondent.)	
.....)	
)	DOCKET NO. UW-031596
In the Matter of the)	(consolidated)
)	
Penalty Assessment Against Virgil R.)	ORDER NO. 09
Fox, President, American Water)	
Resources, Inc., in the amount of)	ORDER MODIFYING PENALTY
\$3,700.00)	PAYMENT SCHEDULE
)	
.....)	

1 The Commission entered an order on November 1, 2004, requiring Virgil Fox to pay penalties in the amount of \$3700 within fifteen days of the date of the order. Mr. Fox, through his attorney, requested authorization to make payment in installments over four months; the Commission responded by letter dated November 15, 2004 that it would be unable to respond prior to the due date and noted that Mr. Fox had not requested a stay of the order. Subsequently, Mr. Fox tendered payment of \$3700 by two checks—one in the amount of \$1700, dated November 16, 2004, and one in the amount of \$2000, post-dated to December 31, 2004.

- 2 The Commission agrees to accept payment in the amounts and on the dates requested and accepts the \$1700 check. However, the Commission cannot accept a post-dated check. It therefore returns the check dated December 31, 2004, and will accept payment of the remaining \$2000 as satisfying the penalty obligation provided that payment is received in full no later than December 31, 2004.

DATED at Olympia, Washington and effective this 18th day of November, 2004

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner