

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

WASHINGTON UTILITIES AND	)	DOCKETS UW-091034, UW-091035,
TRANSPORTATION COMMISSION,	)	UW-091036, and UW-091037
	)	<i>(Consolidated)</i>
Complainant,	)	
	)	
v.	)	ORDER 03
	)	
SJM WATER SERVICES, INC.,	)	
FRAGARIA LANDING WATER	)	PREHEARING CONFERENCE
COMPANY, INC.,	)	ORDER
ILIAD WATER SERVICE, INC., and	)	
MARBELLO WATER CO., INC.,	)	NOTICE OF HEARING
	)	(Set for April 21, 2010, at 9:30 a.m.)
Respondents.	)	
.....	)	

1. **NATURE OF PROCEEDINGS.** On June 29, 2009, in Docket UW-091034, SJM Water Services, Inc. (SJM Water) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-1. The filing proposes to increase ancillary charges for Reconnection, Late Payment, Cross Connection Site Visit and Cross Connection Premise Inspection; adds new charges for NSF Check, Account Set-Up, and Initial Meter Reading; clarifies rules related to irrigation; and adds language on Limitation of Liability for customers in Snohomish County.
  
2. Also on June 29, 2009, in separate dockets, three other water companies made substantially similar filings, as follows:
  - Docket UW-091035, Fragaria Landing Water Company (Fragaria Landing Water)
  - Docket UW-091036, Iliad Water Service, Inc., (Iliad Water)
  - Docket UW-091037, Marbello Water Co., Inc. (Marbello Water)

3. **CONFERENCE.** The Commission convened a prehearing conference in these dockets at Olympia, Washington on March 24, 2010, before Administrative Law Judge Marguerite E. Friedlander.
4. **APPEARANCES.** Richard A. Finnegan, Attorney, Olympia, Washington, represents SJM Water, Fragaria Landing Water, Iliad Water, and Marbello Water. Jennifer Cameron-Rulkowski, Assistant Attorney General, Olympia, Washington, represents the Commission's regulatory staff (Commission Staff or Staff).<sup>1</sup>
5. **PETITIONS FOR INTERVENTION.** No party appeared at the conference seeking to intervene.
6. **CONSOLIDATION.** The Commission entered an order consolidating these dockets.
7. **PROTECTIVE ORDER.** The parties ask that the Commission enter a protective order in this proceeding under RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and WAC 480-07-423 to protect the confidentiality of proprietary information. The request was granted and a protective order will be entered in this docket.
8. **DISCOVERY.** The parties asked that the discovery rules be invoked in this proceeding, under WAC 480-07-400. The matter is one that qualifies for discovery, and the discovery rules, WAC 480-07-400 – 425, are invoked.
9. **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule during the conference. The Commission adopts this procedural schedule, which is set out below and attached to this Order as Appendix B.

**Evidentiary Hearing**

**April 21, 2010**

**Post hearing simultaneous briefs**

**May 14, 2010**

**Initial Order**

**June 11, 2010**

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<sup>1</sup> In formal proceedings, such as this, the Commission's regulatory staff participated like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners' policy advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. *See, RCW 34.05.455.*

10. **NOTICE OF HEARING. PLEASE TAKE NOTICE** That a hearing in the consolidated dockets will be held on April 21, 2010, at 9:30 a.m., in Room 206 of the Commission's offices, located at the Richard Hemstad Building, 1300 S. Evergreen Park Drive, SW, Olympia, Washington. The Commission's bridge line (360-664-3846) is available for those parties unable to attend the conference in person.
11. **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus five (5) copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.
12. All filings must be mailed or delivered to the Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
13. An electronic copy of all filings must be provided through the Commission's Web Portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)) or by e-mail delivery to [records@utc.wa.gov](mailto:records@utc.wa.gov). Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette or CD including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.
14. **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1144.

15. **NOTICE TO PARTIES:** A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.

Dated at Olympia, Washington, and effective March 25, 2010.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

MARGUERITE E. FRIEDLANDER  
Administrative Law Judge

**APPENDIX A**

**PARTIES' REPRESENTATIVES  
DOCKET UW-091034, et al**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
SJM Water Services, Inc.	Richard A. Finnigan 2112 Black Lake Blvd. SW Olympia, WA 98512	360-956-7001	360-753-6862	rickfinn@localaccess.com
Fragaria Landing Water Company	Richard A. Finnigan 2112 Black Lake Blvd. SW Olympia, WA 98512	360-956-7001	360-753-6862	rickfinn@localaccess.com
Iliad Water Service, Inc.	Richard A. Finnigan 2112 Black Lake Blvd. SW Olympia, WA 98512	360-956-7001	360-753-6862	rickfinn@localaccess.com
Marbello Water Co., Inc.	Richard A. Finnigan 2112 Black Lake Blvd. SW Olympia, WA 98512	360-956-7001	360-753-6862	rickfinn@localaccess.com
Staff	Jennifer Cameron-Rulkowski 1400 S. Evergreen Park Dr. SW P.O. Box 40128 Olympia, WA 98504	360-664-1186	360-586-5522	jcameron@utc.wa.gov
Administrative Law Judge	Marguerite E. Friedlander 1300 S. Evergreen Park Dr. SW P.O. Box 47250 Olympia, WA 98504	360-664-1285	N/A	mfriedla@utc.wa.gov

**APPENDIX B**  
**PROCEDURAL SCHEDULE**  
**DOCKET UW-091034, et al**

<b>EVENT</b>	<b>DATE</b>	<b>INTERVAL</b>
Evidentiary Hearing	April 21, 2010	
Post hearing simultaneous briefs	May 14, 2010	23 days
Initial Order	June 11, 2010	28 days