

BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,  
Complainant,

v.

NEWAUKUM WATER SYSTEM, INC.,

Respondent.

DOCKET UW-143181  
(Consolidated)

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,  
Complainant,

v.

NEWAUKUM WATER SYSTEM, INC.,

Respondent.

DOCKET UW-143330  
(Consolidated)

JOINT REQUEST FOR  
COMMISSION TO ACCEPT  
PARTIES STIPULATION OF FACTS

**I. INTRODUCTION AND STIPULATIONS**

1 Commission Staff ("Staff") and Newaukum Water System, Inc. ("Newaukum" or "Company"), (collectively "Parties") enter into the following stipulations of fact as relevant to Dockets UW-143181 and UW-143330 (consolidated). A written stipulation agreed to by the Parties is attached to this joint request as Appendix A. The Parties jointly request the Commission accept the Parties' Stipulation, which includes the facts below:

1. Newaukum Water System, Inc. is a non-profit corporation registered with the Washington State Secretary of State.
2. Newaukum owns, controls, operates, and manages a water system for hire in Washington state.

3. Newaukum has 22 customers. The Washington State Department of Health has limited Newaukum to not more than 23 connections. Twenty-two connections are in place. The designated 23<sup>rd</sup> connection is not in use.
4. Newaukum has average annual revenue per connection greater than \$557.
5. Newaukum was established in 2011, when the previous for-profit owner of the water system, Mr. Ken Lindebak and his wife, quitclaimed the water system to the non-profit corporation they had created, Newaukum Water System, Inc.
6. Sometime after establishing Newaukum, Mr. Lindebak informed the water system's customers in 2013 that they were all members in the newly-created non-profit corporation, Newaukum Water System, Inc.
7. Two customers rejected, and continue to reject, membership in Newaukum.
8. Staff recognizes these-two customers as non-members. Based on its current Bylaws, Newaukum views these customers as non-voting members.
9. Newaukum representatives state that the two non-members/non-voting members are two of the most supportive members with monetary and labor donations.

## **II. STIPULATION OF FACTS WAC 480-07-480**

2

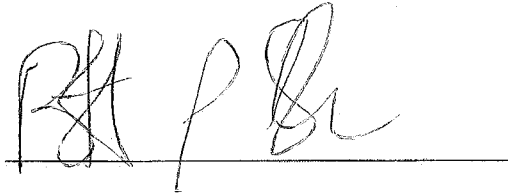
Pursuant to WAC 480-07-480, a stipulation is an agreement among parties intended to establish one or more operative facts in a proceeding. The Commission encourages Parties to

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enter stipulations of fact. The Commission may accept, reject, or require proof of the stipulated facts. The Parties request the Commission accept the proposed stipulated facts.

Respectfully submitted,

ROBERT W. FERGUSON  
Attorney General

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BRETT SHEARER  
Assistant Attorney General

Counsel for Washington Utilities and  
Transportation Commission Staff  
Dated: 2<sup>nd</sup> day of December, 2014.

NEWAUKUM WATER SYSTEM, INC.

A handwritten signature in black ink, appearing to read 'Maurice Kurtz', written over a horizontal line.

Maurice Kurtz, Chairman  
Newaukum Board of Directors

Appearing Pro Se for  
Newaukum Water System, Inc.  
Dated: 2<sup>nd</sup> day of December, 2014.