

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

Sarah Hand,

Complainant,

v.

Rainier View Water Company, Inc.,

Respondent.

DOCKET UW-170924

NOTICE OF PREHEARING
CONFERENCE
**(Set for December 18, 2017,
1 p.m.)**

- 1 On November 8, 2016, Sarah Hand contacted the Washington Utilities and Transportation Commission (Commission) to raise issues about the quality of the water she is receiving from Rainier View Water Company, Inc. (Rainier View or Company). Ms. Hand resides in the Springwood Estates development in Spanaway, Washington. She claimed that the water provided by Rainier View is brown and has damaged her water pipes. She stated that she paid \$654 in pipe repairs for which Rainier View declined to reimburse her. The Commission’s Consumer Protection Staff treated the call as an informal complaint, investigated the complaint, but was not able, on an informal basis, to resolve Ms. Hand’s concerns to her satisfaction.
- 2 On August 31, 2017, the Commission issued a Notice Converting Informal Complaint to Formal Complaint; Calling for Answer; and Initiating Adjudicative Proceeding (Notice). The Notice set the deadline for Rainier to respond to Ms. Hand’s complaint for September 22, 2017.
- 3 On September 25, 2017, Rainier View filed with the Commission a response to the complaint (Response). In its Response, the Company denies that its water caused damage to Ms. Hand’s pipes, and asserts that it is in full compliance with all Department of health requirements for quality of water.
- 4 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 80, and has legal authority to regulate water companies. The statutes that apply to this matter include RCW 80.01, RCW 80.04, and RCW 80.28, including but not

limited to RCW 80.01.040, RCW 80.04.020, and RCW 80.28.010. The rules that apply to this matter include those within WAC 480-110, relating to water companies.

5 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

6 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 1 p.m., on December 18, 2017, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

7 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence, to identify the issues in the proceeding, and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.

8 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See* WAC 480-07-355(a). The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See* WAC 480-07-345(2). Any party or witness in need of an interpreter or other assistance should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

9 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

10 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Sarah Hand
7202 201st Street E
Spanaway, WA 98387

Representative: Nigel S. Malden
Nigel Malden Law, PLLC
711 Court A, Suite 200
Tacoma, WA 98402
(253) 627-0393
nm@nigelmaldenlaw.com

Respondent: Rainier View Water Company, Inc.
P.O. Box 44427
Tacoma, WA 98448

Representative: Richard A. Finnigan
2112 Black Lake Blvd., SW
Olympia, WA 98512
(360) 956-7001
rickfinn@localaccess.com

11 Administrative Law Judge Gregory J. Kopta, from the Commission's Administrative Law Division, will preside during this proceeding.

12 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective October 23, 2017.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

- or - Public Counsel Unit
Office of the Attorney General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Steven V. King, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____