

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

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| WASHINGTON UTILITIES AND |) | DOCKET NO. UW-041384 |
| TRANSPORTATION COMMISSION, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | NOTICE OF PREHEARING |
| |) | CONFERENCE |
| RAINIER VIEW WATER |) | (Set for November 29, 2004, 1:30 |
| COMPANY, INC., |) | p.m.) |
| |) | |
| Respondent. |) | |
| |) | |

1 On July 30, 2004, Rainier View Water Company, Inc., filed with the Commission a revision to its currently effective Tariff WN U-2, instituting a water conservation tier for all water usage over 3,000 cubic feet per month from May through September. The operation of such tariff revisions has been suspended by order of the Commission pending hearing or hearings concerning such changes and the justness and reasonableness thereof.

2 The Commission will hear this matter pursuant to Part IV of chapter 34.05 RCW pertaining to adjudicative proceedings, including but 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. Statutes involved, in addition to those previously cited, include those within chapters 80.01 RCW, 80.04 RCW and 80.28 RCW, including but not limited to RCW 80.01.040, RCW 80.04.130, RCW 80.28.010, RCW 80.28.020, RCW 80.28.030, RCW 80.28.040, and RCW 80.28.100. Rules involved include those within chapters 480-07 WAC, and chapter 480-110 WAC.

3 The ultimate issues include 1) whether the tariff revisions to increase the amount collected are just and reasonable; 2) whether existing rates are fair, just reasonable, and sufficient and 3) whether the purity, volume, and pressure of

water supplied is sufficient, pure, or adequate. In accordance with the provisions of RCW 80.04.130 the burden of proof to show that the increase is just and reasonable will be upon the respondent.

4 **THE COMMISSION GIVES NOTICE That a prehearing conference in this matter will be held at 1:30 p.m., on Monday, November 29, 2004, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

5 The purpose of the prehearing conference is to take interventions, establish dates for distribution of evidence and workpapers and other scheduling matters, consider formulating the issues in the proceeding and to determine other matters to aid in its disposition, as specified in WAC 480-07-430.

6 Petitions to intervene must be made in writing at least five business days prior to the date of the prehearing conference, pursuant to WAC 480-07-355(a). In addition, notices of appearance must be filed with the Commission, as required by WAC 480-07-345(2), no later than the day prior to the conference. If any party or witness needs an interpreter or other assistance, please fill out the form attached to this notice and return it to the Commission. The time and place for the evidentiary hearings will be set at the prehearing conference or by later written notice.

7 **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 in accordance with RCW 34.05.440. The parties are further advised that the sanction provisions of WAC 480-07-450 are specifically invoked.**

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

Complainant: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

Representative: Lisa Watson
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1186

Respondent: Rainier View Water Company, Inc.
P.O. Box 44427
Tacoma, WA 98444
(253) 537-6634

Representative: Richard A. Finnigan
Attorney at Law
2405 Evergreen Park Drive S.W.
Suite B-1
Olympia, WA 98502
(360) 753-6862

9 Administrative Law Judge Dennis J. Moss, from the Utilities and Transportation
Commission's Administrative Law Division, will preside during this proceeding.

10 Notice of any other procedural phase will be given in writing or on the record, as
the Commission may deem appropriate during the course of this proceeding.

DATED at Olympia, Washington, and effective this 28th day of October, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

Inquiries may be address to:

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

NOTICE

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and if limited English-speaking or 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.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned to Washington Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket No.: _____

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.: (____) _____