

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition
Filed by

KALAMA WATER LLC,

Pursuant to RCW 34.05.240 and WAC
480-07-930.

DOCKET UW-240615

NOTICE OF BRIEF ADJUDICATIVE
PROCEEDING

SETTING TIME FOR ORAL
STATEMENTS
**(Set for October 11, 2024,
at 1:30 p.m.)**

INTRODUCTION

- 1 On August 12, 2024, Kalama Water LLC (Kalama) filed with the Washington Utilities and Transportation Commission (Commission) a Petition for a Declaratory Order (Petition). Kalama seeks a determination allowing Kalama access to the View Estates 1 water system to which Kalama asserts it has been denied effective access pursuant to Washington Administrative Code (WAC) 480-110-305 and WAC 480-07-930.
- 2 On August 26, 2024, pursuant to Revised Code of Washington (RCW) 34.05.240 and WAC 480-07-930, the Commission gave Notice of Kalama’s Petition to all persons required by law and such other persons as deemed appropriate by issuing a Notice of Petition. The time to respond to the Notice of Petition ended on September 15, 2024. The statute requires that within thirty days of receiving the Petition, the Commission take one of four actions: (a) enter a declaratory order; (b) notify Kalama that no order will be entered; (c) establish a date by which the Commission will enter an order; or (d) set a date and time for further proceedings.
- 3 On September 12, 2024, the Commission issued a Notice Establishing Date by Which the Commission Will Enter Declaratory Order (Notice Establishing Date) finding that a declaratory order is appropriate under the circumstances presented and establishing a November 11, 2024, deadline to determination the need for future proceedings.
- 4 Pursuant to RCW 34.05.482, RCW 34.05.240, WAC 480-07-610, and WAC 480-07-930, the Commission hereby determines that a brief adjudicative proceeding is the appropriate venue for determining whether Kalama’s Petition should be granted.
- 5 **THE COMMISSION GIVES NOTICE That it will hold a virtual brief adjudicative proceeding in this matter at 1:30 p.m. on Friday, October 11, 2024. To participate**

by phone, call (253) 215-8782 and enter the Meeting ID: 885 5029 3638# and Passcode: 777722#. To participate via Zoom, [click here to join meeting](#).¹

- 6 The record in this proceeding will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding and a transcript of any oral statements given under oath at the hearing.
- 7 Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file with the Commission all proposed exhibits, as well as a list enumerating and describing them, no later than **Friday, October 4, 2024, at 5 p.m.** Filing shall be in accordance with WAC 480-07-140.
- 8 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the brief adjudicative proceeding 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.**
- 9 The names and mailing addresses of all parties and their known representatives are shown as follows:

Petitioner: Robert Tershel
Kalama Water , LLC
5933 SW Ralston Dr
Portland, OR 97239
bobtershel@comcast.net

Counsel for Respondent: Jeff Lindberg
Jeff.lindberg@landerholm.com

Commission: Washington Utilities and
Transportation Commission
P.O. Box 47250
Lacey, WA 98503

Public Counsel: Tad O'Neill
Assistant Attorney General
800 Fifth Ave STE 2000
Seattle, WA 98104
tad.oneill@atg.wa.gov

¹ <https://utc-wa-gov.zoom.us/j/88550293638?pwd=vZ7BITVyPPbhmeaITL4Faipxd8gS1U.1>

Commission Staff: Jeff Roberson
Assistant Attorney General
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PO Box 40128
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jeff.roberson@atg.wa.gov

Colin O'Brien
Office of Attorney General
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10 Administrative Law Judge Connor Thompson from the Commission's Administrative Law Division is designated to preside during this proceeding.²

DATED at Lacey, Washington, and effective September 26, 2024.

JEFF KILLIP
Executive Director and Secretary

Inquiries may be addressed to:
Executive Director and Secretary
Washington State Utilities and
Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

² Judge Thompson can be reached by email at connor.thompson@utc.wa.gov or by phone at (360) 664-1346.

NOTICE

Hearings are accessible to persons with disabilities and persons who do not speak English as a first language. 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.

If you need an interpreter, or have other special needs, please provide the information requested below via email to Stacey Brewster, paralegal, at stacey.brewster@utc.wa.gov.

(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: _____