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October 14, 2004

Theodora M. Mace, Administrative Law Judge
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive SW
Olympia, WA 98504-7250

Re: Docket No. UW-041181, WUTC v. Marbello Water Company
Request for Waiver

Dear ALJ Mace:

The purpose of this letter is to request a waiver of the requirement of WAC 480-07-740(2)(b) which requires that "each party to a settlement agreement must offer to present one or more witnesses to testify in support of the proposal and answer questions concerning the settlement agreement's details, and its costs and benefits." Commission Staffperson Danny Kermode will be available to answer questions. In addition, I will be available, as counsel for the company.

However, given the size of the company and its limited resources, the company believes it would be unduly expensive to require it to produce a witness as well.

The company appreciates the efforts that Commission Staff has gone to in analyzing the company's financial records and reaching a settlement that is acceptable to both the company and Commission Staff.

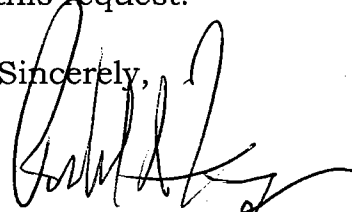
If this letter reaches you prior to the Settlement Agreement reaching you, be assured that the Settlement Agreement is in the process of being signed and filed.

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STATE OF WASH.
UTIL. AND TRANS.
COMMISSION

ALJ Mace
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Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard A. Finnigan', written over the word 'Sincerely,'.

RICHARD A. FINNIGAN

RAF/lis

cc: Dave Dorland
Jon Thompson
John Cupp