

0007

1

2

3

4

The parties were present as follows:

5

6

WASHINGTON UTILITIES AND TRANSPORTATION

7

COMMISSION, by JONATHAN THOMPSON, Assistant Attorney

8

General, 1400 South Evergreen Park Drive Southwest,

9

Post Office Box 40128, Olympia, Washington 98504;

10

telephone, (360) 664-1225.

11

12

SJM WATER SERVICES, INC., by RICHARD A.

13

FINNIGAN, Attorney at Law, 2405 Evergreen Park Drive

14

Southwest, Suite B-1, Olympia, Washington 98502;

15

telephone, (360) 956-7001.

16

17

18

19

20

21

22

23

24

Kathryn T. Wilson, CCR

25

Court Reporter

0008

1 P R O C E E D I N G S

2 JUDGE CAILLE: Let's go on the record. Good
3 morning. We are here for a hearing on jurisdiction
4 that was scheduled for today, and the parties prior to
5 this morning have presented me with a stipulation, and
6 I think what I will do is ask for the appearances, and
7 then if one of the parties would like to summarize the
8 stipulation, that would be great. So let's begin with
9 Staff.

10 MR. THOMPSON: Jonathan Thompson for
11 Commission staff.

12 MR. FINNIGAN: Rick Finnigan appearing on
13 behalf of Respondent.

14 MR. THOMPSON: I guess I could just provide a
15 brief summary of the stipulation, which itself is
16 rather brief, but essentially provides that the Company
17 stipulates to file an initial tariff by July 30th, and
18 then it will accompany that data, not necessarily with
19 all of the information that's required under the --

20 MR. FINNIGAN: Maybe I should interject. The
21 Company has agreed to file financial information for
22 the calendar year of 2003, customer accounts and such
23 usage data as it has available to it. Technically for
24 an initial tariff, there is no data required to be
25 filed. On the other hand, there is more information if

0009

1 you are filing for a general rate increase, so Staff
2 and Company agreed to sort of this meet point type of
3 distribution.

4 It's the Company's projection that depending
5 on usage, it would be jurisdictional in any case by the
6 end of the summer, so it agreed to file now and at the
7 rates that it's currently charging as the requirement,
8 and then the projection is that the Company will file a
9 general rate increase in August.

10 JUDGE CAILLE: All right. Do you have
11 anything else to add to that?

12 MR. THOMPSON: I would just add that since
13 Staff hasn't yet seen the financial data, the question
14 remains open whether the rates the Company is currently
15 charging are fair, just, and reasonable, so once Staff
16 has that filing, we want to review it and at that point
17 make our decision whether to go forward with the
18 complaint, or if we conclude that the rates are
19 justified then to ask for dismissal of the complaint,
20 and we also have a provision, just in the event the
21 Company didn't comply with its stipulation, that we
22 could file the initial tariff so that we could proceed
23 with a penalty action.

24 JUDGE CAILLE: I do have a copy of the
25 stipulation, but mine doesn't have the signatures, so

0010

1 we will need one with signatures to go into the file.

2 I'll make sure the records center gets this original.

3 Then just so that it's clear, we had set a
4 tariff filing date of July the 25th, and that will now
5 be superseded by the July 30th date that's in the
6 stipulation of the parties, so in that respect, the
7 prehearing conference order is amended, and I commend
8 the parties for their coming to an agreement on this,
9 and I hope that you continue to agree, and if not, I'll
10 hear from Staff, and either way I'll hear from Staff;
11 correct?

12 MR. THOMPSON: Right. One possibility is
13 that we could pick a date for a status conference,
14 particularly since Mr. Finnigan is indicating the
15 Company may file for a rate increase in August, and we
16 could proceed with a complaint proceeding potentially
17 and then have the new rate filing, which would force us
18 to revise our schedule anyway, so probably the best we
19 can do just so we have some date out there.

20 JUDGE CAILLE: Let's go off the record so we
21 can look at calendars.

22 (Discussion off the record.)

23 JUDGE CAILLE: We've had an off-record
24 discussion and have concluded not to set a date for
25 status. The parties have agreed to play it by ear and

0011

1 see whether one will be necessary, and either there
2 will be a motion for dismissal filed or there will be a
3 request for a status conference, and that may be joined
4 with a prehearing conference for a general rate
5 increase for this company. Does that accurately
6 reflect what we discussed?

7 MR. FINNIGAN: Yes.

8 JUDGE CAILLE: Is there anything further from
9 anyone this morning? I'll get an order out as quickly
10 as I can, and thank you very much, and I'll also get
11 this filed with the records center. Thank you.

12 (Prehearing conference concluded at 9:39 a.m.)

13

14

15

16

17

18

19

20

21

22

23

24

25