

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

WASHINGTON UTILITIES AND)	DOCKET UW-110054
TRANSPORTATION COMMISSION)	
)	
Complainant,)	ORDER 02
)	
v.)	
)	PREHEARING CONFERENCE
RAINIER VIEW WATER)	ORDER ESTABLISHING
COMPANY, INC.,)	PROCEDURAL SCHEDULE AND
)	SCHEDULING HEARING
Respondent.)	(Evidentiary Hearing set for
)	August 30, 2011)
.....)	

1 **NATURE OF PROCEEDING.** On January 4, 2011, Rainier View Water Company, Inc. (Rainier View or Company) filed with the Washington Utilities and Transportation Commission (Commission) a revision to its currently effective Tariff WN U-2, designated as Original Sheet No. 56. The stated effective date is February 4, 2011. This filing was prompted by a request from the Commission’s regulatory staff (Commission Staff)¹ that the Company publish its facilities charges in its tariff to eliminate the need for a separate contract with each new customer. The Company initially proposed charges of \$8,640 per equivalent residential unit (ERU) for all future customers of the Southwood/Sound water system and \$1,702 per ERU for all future customers of all other water systems.

2 On January 24, 2011, the Company filed revised tariff sheets reflecting rates at the same level as recent contract facilities charges. Rainier View proposed facilities charges of \$6,480 per ERU for all future customers of the Southwood/Sound water system and \$1,210 per ERU for all future customers of all other water systems.

¹ In formal proceedings, such as this, the Commission’s regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners’ policy and accounting advisors do not discuss the merits of the proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. *See RCW 34.05.455.*

- 3 **CONFERENCE.** The Commission convened a prehearing conference in this proceeding at Olympia, Washington, on April 28, 2011, before Administrative Law Judge Marguerite E. Friedlander.
- 4 **PARTY REPRESENTATIVES.** Michael Fassio, Assistant Attorney General, Olympia, Washington, represents the Commission Staff. Richard A. Finnigan, Attorney at Law, Olympia, Washington, represents Rainier View. A complete list of party representatives and their contact information is attached to this Order as Appendix A.
- 5 **PROCEDURAL SCHEDULE.** During the prehearing conference, the parties agreed on a procedural schedule. The Commission adopts the procedural schedule proposed by the parties. The procedural schedule is set forth in Appendix B to this Order.
- 6 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter beginning, **August 30, 2011, at 9:30 a.m., in the Commission’s Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
- 7 **DISCOVERY.** During the prehearing conference, the presiding officer inquired of the parties whether the Commission should make available its rules governing discovery. The parties requested that the discovery rules be available. This proceeding meets the criteria in WAC 480-07-400(2)(b). Accordingly, the Commission’s discovery rules will be available and discovery will be conducted pursuant to WAC 480-07-400 – 425.
- 8 **PROTECTIVE ORDER.** The presiding officer inquired of the parties whether there was any need to issue a protective order in the proceeding to govern the use of confidential information. The parties requested that the Commission enter its standard protective order. The Commission will issue a protective order in this case.
- 9 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file the original plus **7 copies** of the unredacted versions of all pleadings, motions, briefs, and other prefiled materials. Parties must also file the original and 1 copy of any redacted version(s). These materials must conform to the format and publication

guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

- 10 All filings must be mailed or delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 11 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Electronic versions of all documents must be filed in accordance with WAC 480-07-140(6). Specifically, all documents must be filed in .pdf (Adobe Acrobat) format, supplemented by a separate file in .doc (MS Word, .wpd (WordPerfect), .xls (Excel), or .ppt (Power Point) format.
- 12 A copy of all filings must be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to records@utc.wa.gov. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette or CD including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.
- 13 According to WAC 480-07-145(6), the parties may electronically submit documents to the Commission provided the electronic submission is received by 3:00 pm on the filing deadline and the Commission receives the original and required number of copies by 12:00 pm on the following business day. Parties must submit documents through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail to records@utc.wa.gov, and file an original, plus **7 paper copies**, of the documents with the Commission by the following business day. Parties must provide courtesy copies of their electronic submissions to the presiding administrative law judge at mfriedla@utc.wa.gov and to the parties to the proceeding.

- 14 **ALTERNATE DISPUTE RESOLUTION.** The parties expressed interest in the use of the Commission's alternate dispute resolution services. The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The parties should contact the Director, Administrative Law Division, at 360-664-1355 if you wish to explore those services.
- 15 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective May 2, 2011.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

MARGUERITE E. FRIEDLANDER
Administrative Law Judge

APPENDIX A

Docket UW-110054

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
Commission Staff	Michael Fassio Assistant Attorney General 1400 S. Evergreen Park Dr. SW P.O. Box 40128 Olympia, WA 98504-0128	360-664-1192	360-586-5522	mfassio@utc.wa.gov
Rainier View	Richard A. Finnigan Attorney at Law 2112 Black Lake Blvd. S.W. Olympia, WA 98512	360-956-7001	360-587-3852	rickfinn@localaccess.com
Administrative Law Judge	Marguerite E. Friedlander Administrative Law Judge Washington Utilities and Transportation Commission 1300 S. Evergreen Park Dr. SW P.O. Box 47250 Olympia, WA 98504-7250	360-664-1285	N/A	mfriedla@utc.wa.gov

**APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UW-110054**

<u>EVENT</u>	<u>DATE</u>
Rainier View Direct Testimony and Exhibits	June 16, 2011
Commission Staff Responsive Testimony and Exhibits	July 21, 2011
Rainier View Rebuttal Testimony and Exhibits	August 18, 2011
Evidentiary Hearing	August 30, 2011