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October 4, 2005

C. Robert Wallis, Director
WUTC Administrative Law Division
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, Washington 98504-7250

Re: William Stuth and Aqua Test, Inc.
Petition for Declaratory Order, Docket No. A-050528

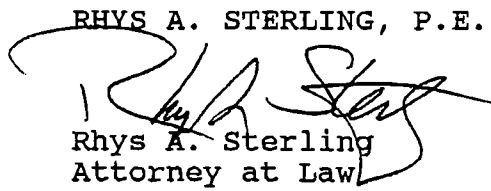
Dear Mr. Wallis:

With the trial court's Order entered in Stuth and Aqua Test v. WUTC, Thurston County Superior Court No. 05-2-00782-3, remanding to WUTC the above-referenced Petition for a fact finding hearing and entry of a Declaratory Order as requested, and our further understanding from Christopher G. Swanson, Assistant Attorney General, that WUTC does not intend to appeal the trial court's Order, Stuth and Aqua Test respectfully ask the WUTC to proceed with scheduling any necessary pre-hearing conferences for the setting of procedural matters (briefs, witness lists, evidence, etc.) preliminary to the required hearing.

Please contact me at your earliest convenience. Thank you for your continued cooperation in this matter.

Very truly yours,

RHYS A. STERLING, P.E., J.D.



Rhys A. Sterling
Attorney at Law

cc: Christopher G. Swanson, AAG
Bill Stuth
Aqua Test, Inc.

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UTIL. AND TRANSP.
COMMISSION

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