

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In the matter of the Petition of)	
)	DOCKET NO. A-050528
)	
WILLIAM L. STUTH and AQUA)	ORDER NO. 02
TEST, INC.,)	
)	
For a Declaratory Order)	ORDER ON CLARIFICATION
)	
)	
.....)	

1 **Nature of Proceeding.** This matter involves the request for a declaratory order, posed by William L. Stuth and Aqua Test, Inc.

2 **Conference.** The Commission entered Order No. 01—Prehearing Conference Order on November 22, 2005.

3 After entry of the prehearing conference order, petitioners sought clarification of the definition in the order of the matter at issue. The order refers to the issue as whether the operator of a large on-site sewage system is subject to regulation by the Commission. Petitioners ask that the order be clarified to include management, ownership, and maintenance of such a system, as well as operation, as possible qualifications for regulation.

4 On December 9, 2005, Commission staff responded with no objection to the clarification.

ORDER

5 The order is clarified as follows: The term "operator" in the order is not used in its narrow sense to include only physical or technical mechanics of operation. Consistent with the relevant documents and with the discussions at the

prehearing conference, the term is meant in its broader management sense to encompass activities that may be necessary to provide a service, such as management, maintenance, and ownership.

DATED at Olympia, Washington, and effective this 9th day of December, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

C. ROBERT WALLIS
Administrative Law Judge