

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

QUEEN ANNE WATER WORKS, LLC,

Respondent.

DOCKET UW-171034

COMMISSION STAFF’S MOTION  
FOR ORDER REQUIRING FILING  
OF STATUS MEMORANDUM  
PURSUANT TO WAC 480-110-225(2)

**I. INTRODUCTION AND FACTS**

1           On October 3, 2017, Queen Anne Water Works, LLC (“Queen Anne” or “company”) filed a water service tariff with the Utilities and Transportation Commission (“UTC” or “commission”).

2           The company’s filing stated that the company had approximately 14 customers and annually collected approximately \$7,900 in revenue, or approximately \$564 per customer per year.<sup>1</sup>

3           On November 9, 2017, the commission issued an order acknowledging that the company was subject to the commission’s jurisdiction and suspending Queen Anne’s tariff filing.

4           On November 18, 2018, the Mason County Superior Court filed a judgment and order affecting the water service rates that Queen Anne is charging its customers. The order prohibited Queen Anne from charging its customers more than \$37 per month for water

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<sup>1</sup> The commission’s order, Order 01 Docket UW-171034, is attached as Appendix A.

services until the company complied with separate contractual procedures to change the water rates.<sup>2</sup>

5           The Superior Court further ordered that the company be placed into permanent custodial receivership and held that the previous owners could not participate in the management of the company, including issues involving financial, billing, and rate matters.

## II. ARGUMENT

6           Commission Staff brings this motion as a procedural motion under WAC 480-07-375(1)(b) to request that the commission establish additional process in Docket UW-171034.

7           Under WAC 480-110-255, the UTC will assert jurisdiction over a water company if the water company has more than \$557 average annual revenue per customer.

8           If the company still has 14 customers, then the Superior Court’s order reduces the company’s average annual revenue per customer to \$518.

9           Under WAC 480-110-225(2), the commission retains the authority “to impose additional or different requirements on any company in appropriate circumstances, consistent with the requirements of law.”

10          Given the Superior Court’s order, the commission should use its authority under WAC 480-110-225(2) to require Queen Anne to file a status memorandum within a reasonable time regarding:

- a. Whether and when a receiver has or will be appointed;
- b. The effect of the receivership on the company’s filed tariff, and;
- c. Whether the UTC retains jurisdiction over the water company.

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<sup>2</sup> The Superior Court’s judgment and order, Cause Number 13-2-00049-4, is attached as Appendix B.

### III. CONCLUSION

11           The commission should determine that the Superior Court's appointment of a permanent receiver for the water company and capping of the company's water service rates present appropriate circumstances to order the company to provide a status memorandum updating the commission on the issues described above.

Respectfully submitted,

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/s/ Harry Fukano

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