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BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION

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3	WASHINGTON UTILITIES AND	)	DOCKET UW-110220
	TRANSPORTATION COMMISSION,	)	
4		)	
	Complainant,	)	
5		)	Volume I
	vs.	)	Pages 1-6
6		)	
	SUMMIT VIEW WATER WORKS,	)	
7		)	
	Respondent.	)	
8	<hr/>	)	

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10 This is the Prehearing Conference in the above matter  
11 held on Monday, May 9, 2011, at 2:00 p.m., at 1300 South  
12 Evergreen Park Drive Southwest, Olympia, Washington, before  
13 Administrative Law Judge PATRICIA CLARK.

14 The parties were present as follows:

15 WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, by  
16 Robert Cedarbaum, Assistant Attorney General, Heritage Plaza  
17 Building, 1400 South Evergreen Park Drive, Southwest, Olympia,  
Washington, 98504. Telephone number is (360) 664-1188.

18 SUMMIT VIEW WATER WORKS, by Richard Finnigan, Attorney  
19 at Law, 2112 Black Lake Boulevard SW, Olympia, Washington,  
98512. Telephone number is (360) 956-7001.

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25 Lesley E. Kay, CCR No. 3244  
Court Reporter

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P R O C E E D I N G S

JUDGE CLARK: It's approximately 2:05 p.m. on May 9th, 2011, in the Commission's hearing hearing in Olympia, Washington.

The Prehearing Conference in Docket UW-110220 was originally set for 2:30 p.m. but all parties are present and we're going to convene a little bit early.

This is the Prehearing Conference in the matter of Washington Utilities and Transportation Commission, Complainant, versus Summit View Water Works, Respondent, given Docket No. UW-110220, Patricia Clark, Administrative Law Judge with the Commission, presiding.

This matter came before the Commission on January 27, 2011, when Summit View Water Works filed revisions to its currently effective Tariff WNU-1, specifically Tariff Sheet Nos. 23 and 24.

The Commission suspended the tariff revisions which would have been effective March 1st, 2011.

At this time I'll take appearances on behalf of the parties.

Appearing on behalf of the Commission staff?

MR. CEDARBAUM: Thank you, Your Honor.

My name is Robert Cedarbaum, Assistant Attorney General, appearing for Commission staff. My business address is the Heritage Plaza building, 1400 South Evergreen Park Drive 0003 Southwest, Olympia, Washington, 98504. The direct dial

2 telephone number is (360) 664-1188. E-mail is  
3 bcedarba@utc.wa.gov. The fax number is (360) 586-5522.

4 THE COURT: Thank you, Mr. Cedarbaum.  
5 Appearing on behalf of Summit View Water Works?

6 MR. FINNIGAN: Thank you, Your Honor.  
7 Richard Finnigan. The mailing address is 2112 Black  
8 Lake Boulevard Southwest, Olympia, Washington, 98512. The  
9 telephone is (360) 956-7001. Fax is (360) 587-3852. Email is  
10 rickfinn@localaccess.com.

11 THE COURT: Thank you.  
12 Preliminary matters, of course the usual questions,  
13 parties want the Commission to invoke discovery rule?

14 MR. CEDARBAUM: Yes, Your Honor. We also propose that  
15 the turnaround time for responses be reduced from ten business  
16 days to five business days.

17 THE COURT: Mr. Finnigan?

18 MR. FINNIGAN: I assume that's the same as the prior  
19 case, after filing of direct testimony?

20 MR. CEDARBAUM: That's right. After the company filed  
21 its direct case it would apply to staff as well.

22 MR. FINNIGAN: I'm still not optimistic but I know  
23 it's going to happen.

24 I have nothing further on that.

25 JUDGE CLARK: The Commission is going to require

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1 turnaround time of five business days after the company files  
2 its direct case. If this presents a burden the company can

3 seek relief from the Commission to satisfy a particular  
4 discovery deadline that creates a problem.

5 Have the parties had an opportunity to consult  
6 regarding procedural schedule?

7 MR. CEDARBAUM: We have, Your Honor, as we did in the  
8 prior case.

9 If you'd like me to read that into the record I can.

10 JUDGE CLARK: The record, I suppose, should reflect  
11 that the Prehearing Conference in Docket UW-110107 I propose  
12 that perhaps these matters be consolidated and the parties are  
13 not proponents of that, at least staff is not a proponent of  
14 that, so we're going to establish separate procedural schedules  
15 for each matter.

16 Yes, Mr. Cedarbaum, that will be necessary because  
17 that will be completely separate.

18 MR. CEDARBAUM: That's correct.

19 The proposal is that the company filed it's direct  
20 case on June 10th.

21 Staff files its response case on July 15th.

22 Company files rebuttal on August 8th.

23 Hearings during the two days, August 25th and  
24 August 26th.

25 Briefs, as necessary, September 14th.

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1 There's also a request for the Commission to hold a  
2 public hearing in the Kennewick area during the week of  
3 August 15th.

4 JUDGE CLARK: All right. I consulted the Commission's  
5 calendar and there was no conflict with those hearing dates.

6 Procedural schedule proposed by the parties is  
7 reasonable and it is adopted.

8 Do the parties feel a need to have a protective order  
9 in this proceeding?

10 MR. FINNIGAN: The company requests the standard  
11 protective order.

12 JUDGE CLARK: Any objection?

13 MR. CEDARBAUM: No.

14 JUDGE CLARK: Hearing none, the standard protective  
15 order will be issued.

16 The Commission will require an original and 11 copies  
17 of all documents filed in this matter.

18 Is there anything further that we should consider on  
19 this afternoon's record?

20 MR. CEDARBAUM: Not here.

21 MR. FINNIGAN: Not that I'm aware of.

22 THE COURT: Hearing nothing, we're adjourned.

23 Thank you.

24 (Conclusion of proceedings.)

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1 Certificate

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3 I, LESLEY E. KAY, a duly authorized Court Reporter and  
4 Notary Public in and for the State of Washington, residing in

5 Olympia, do hereby certify;

6 That the foregoing proceedings were taken before me  
7 and thereafter transcribed by me by means of computer-aided  
8 transcription; that the transcript is a full, true and complete  
9 transcript of said proceedings;

10 That I am not a relative, employee, attorney or  
11 counsel of any party to this action, or relative or employee of  
12 any such attorney or counsel, and I am not financially  
13 interested in the said action or the outcome thereof;

14 That upon completion of signature, if required, the  
15 original transcript will be securely sealed and the same served  
16 upon the appropriate party.

17 IN WITNESS WHEREOF, I have hereunto set my hand and  
18 affixed my official seal this \_\_\_ day of \_\_\_\_\_, \_\_\_\_.

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LESLEY E. KAY  
WA CCR #3244  
CA CSR #6847  
NV CCR #791

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