

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	DOCKET UW-112182
TRANSPORTATION COMMISSION	)	
	)	
Complainant,	)	ORDER 02
	)	
v.	)	
	)	PREHEARING CONFERENCE
BETTY LU MILLER D/B/A	)	ORDER ESTABLISHING
NORTHWEST WATER SYSTEM,	)	PROCEDURAL SCHEDULE AND
	)	SCHEDULING HEARING
Respondent.	)	<b>(Evidentiary Hearing set for</b>
	)	<b>October 11, 2012)</b>
.....	)	

- 1     **NATURE OF PROCEEDING.** On December 20, 2011, Betty Lu Miller d/b/a Northwest Water System (Northwest Water System or Company) filed with the Washington Utilities and Transportation Commission (Commission) a revision to its currently effective Tariff WN U-1, designated as Second Revised Sheet No. 21. The stated effective date is February 1, 2012. This general rate filing was prompted by an increase in the cost to purchase water from the City of Everett. The Company proposes to increase charges and rates for service that its 40 customers must pay by approximately \$1,736 or 6.4 percent.
  
- 2     On April 10, 2012, the Company accommodated a request from the Commission’s regulatory staff (Commission Staff) and waived the expiration of the suspension period for forty-five days.
  
- 3     **CONFERENCE.** The Commission convened a prehearing conference in this proceeding at Olympia, Washington, on July 2, 2012, before Administrative Law Judge Adam E. Torem.

- 4 **PARTY REPRESENTATIVES.** Jennifer Cameron-Rulkowski, Assistant Attorney General, Olympia, Washington, represents Commission Staff.<sup>1</sup> Richard A. Finnigan, Attorney at Law, Olympia, Washington, represents Northwest Water System. 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 **Thursday, October 11, 2012, at 9:30 a.m., in Room 108, First 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 set out 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

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<sup>1</sup> 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.

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](http://www.utc.wa.gov/e-filing)) or by e-mail delivery to [records@utc.wa.gov](mailto: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](http://www.utc.wa.gov/e-filing)) or by e-mail to [records@utc.wa.gov](mailto: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 [atorem@utc.wa.gov](mailto:atorem@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 July 3, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ADAM E. TOREM  
Administrative Law Judge

**APPENDIX A**

**Docket UW-112182**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
<b>Commission Staff</b>	Jennifer Cameron-Rulkowski Assistant Attorney General 1400 S. Evergreen Park Dr. SW P.O. Box 40128 Olympia, WA 98504-0128	360-664-1186	360-586-5522	<b>jcameron@utc.wa.gov</b>
<b>Northwest Water System</b>	Betty Lu Miller d/b/a Northwest Water System P.O. Box 20429 Seattle, WA 98102			
	Richard A. Finnigan Attorney at Law 2112 Black Lake Blvd. S.W. Olympia, WA 98512	360-956-7001	360-587-3852	<b>rickfinn@localaccess.com</b>
<b>Administrative Law Judge</b>	Adam E. Torem Administrative Law Judge Washington Utilities and Transportation Commission 1300 S. Evergreen Park Dr. SW P.O. Box 47250 Olympia, WA 98504-7250	360-664-1138	N/A	<b>atorem@utc.wa.gov</b>

**APPENDIX B  
PROCEDURAL SCHEDULE  
DOCKET UW-112182**

<b><u>EVENT</u></b>	<b><u>DATE</u></b>
Prehearing Conference	Monday, July 2, 2012
Northwest Water System Direct Testimony and Exhibits	Thursday, August 9, 2012
Commission Staff Responsive Testimony and Exhibits	Thursday, September 13, 2012
Northwest Water System Rebuttal Testimony and Exhibits	Thursday, September 27, 2012
Evidentiary Hearing	Thursday, October 11, 2012
Post-Hearing Briefs	Thursday, November 15, 2012 <i>(to be confirmed)</i>
Suspension Period Ends	Tuesday, January 15, 2013