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December 23, 2009

VIA HAND DELIVERY

David Danner, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
Olympia, WA 98504-7250

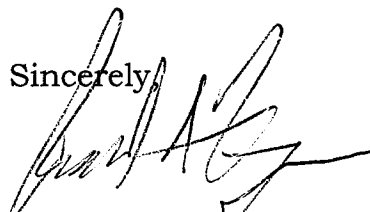
RECEIVED
PROPERTY MANAGEMENT
2009 DEC 23 PM 3:00
STATE OF WASH
UTIL. AND TRANP
COMMISSION

Re: WUTC v. Burton Water Company--Dockets UW-091050 and UW-091051

Dear Mr. Danner:

Enclosed for filing you will find the original and six copies of the Testimony of Jim Garrison in support of the Settlement Agreement in these Dockets.

Thank you for your attention to this matter.

Sincerely,

RICHARD A. FINNIGAN

RAF/km
Enclosure

cc: Clients (via e-mail)
Donald Trotter (via e-mail)

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CERTIFICATE OF SERVICE

UW-091050/UW-091051

I hereby certify that I have this day served the attached Testimony of Jim Garrison upon all parties of record in this proceeding, by e-mail and hand delivery, to the following parties or attorneys of parties:

Donald Trotter
Assistant Attorney General
1400 S. Evergreen Park Drive SW
PO Box 40128
Olympia, WA 98504-0128
dtrotter@utc.wa.gov

I further certify that I have this day delivered the attached Testimony of Jim Garrison and six copies by hand delivery to the following:

Mr. David Danner, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive SW
Olympia, WA 98504

Dated at Olympia, Washington, this 23th day of December, 2009.


Richard A. Finnigan

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

Burton Water Company, Inc.,

Respondent.

DOCKET UW-091050
DOCKET UW-091051

STATE OF WASH
UTIL. AND TRANSP
COMMISSION

2009 DEC 23 PM 3:00

RECEIVED
REGULATORY MANAGEMENT

TESTIMONY OF

Jim Garrison

ON BEHALF OF

BURTON WATER COMPANY, INC.

December 23, 2009

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS?**

2 A. My name is Jim Garrison. My business address is 10930 SW 238th St, Vashon,
3 WA 98070.

4 **Q. WHAT IS YOUR RELATIONSHIP WITH BURTON WATER**
5 **COMPANY?**

6 A. I am one of the owners and I actively participate in the management and operation
7 of the company.

8 **Q. DO YOU SUPPORT THE SETTLEMENT AGREEMENT AS FILED IN**
9 **THIS DOCKET?**

10 A. Yes. It represents a compromise that balances the cost of pursuing this matter to
11 hearing with reaching a result that is acceptable.

12 **Q. DO YOU AGREE WITH THE TESTIMONY OF MR. WARD?**

13 A. Yes, as far as it goes. I do want to note for the record that the company believes
14 that if this matter had proceeded to hearing, the company would have justified a
15 higher revenue requirement than is reflected in the Settlement Agreement.
16 However, we took into account the cost of proceeding to litigation and even
17 though those costs would be recovered from ratepayers eventually, determined
18 that the more prudent course of action would be to accept settlement at this time.

19 **Q. DO YOU HAVE ANY OBSERVATIONS CONCERNING THE RATE**
20 **DESIGN THAT WILL BE IMPLEMENTED UNDER THE SETTLEMENT**
21 **AGREEMENT?**

22 A. Yes. We are not very happy about the rate design for the one inch meters. Our
23 position is that it is contrary to the goal of encouraging conservation. We are

1 willing to accept the rate design as part of the Settlement Agreement package.

2 However, we will be discussing this matter further with Commission Staff for
3 future rate proceedings.

4 **Q. DO YOU HAVE ANY COMMENTS ON THE OVERALL PROCESS?**

5 A. Yes. As Commission Staff is aware, we have been changing the management at
6 the company. This year, Evan Simmons and myself became the sole owners. We
7 are learning how the Commission does things. Even though the discussions are
8 sometimes contentious, we do feel that we are continuing to move up the learning
9 curve about Commission's policies and procedures. As Commission Staff is
10 aware, there are many things about a regulated utility operation that are different
11 from normal business operations. We are beginning to figure those out and are
12 continuing to work to get the records and operations of the company consistent
13 with Commission policies and procedures.

14 **Q. DO YOU HAVE ANY CLOSING COMMENTS?**

15 A. Despite our concerns, I do want to be sure the Commission understands that we
16 support the Settlement Agreement as a prudent compromise among the parties.
17 We urge the Commission to accept the Settlement Agreement and allow the
18 parties to move forward.