

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

In the Matter of the Request of)	DOCKET NO. UW-030213
)	
South Bainbridge Water System, Inc.,)	ORDER NO. 01
)	
Petitioner,)	
)	
For Less Than Statutory Notice in Connection with Tariff Revisions.)	ORDER GRANTING LESS THAN STATUTORY NOTICE
.....)	

BACKGROUND

- 1 On February 18, 2003, South Bainbridge Water System, Inc., (South Bainbridge Water or the Company) filed with the Commission revisions to its currently effective Tariff WN U-2, designated as First Revision of Sheet No. 21.2 Canceling Original Sheet No. 21.2. Under Docket UW-030212, the Company has amended its tariff to reflect the addition of these customers at their previously un-regulated rates as required by tariff rules. The requested effective date would be thirty days after that filing. This filing adds the newly acquired customers of the West Port Blakely water system to the Company’s tariff and results in lower rates for customers by Less than Statutory Notice treatment.
- 2 RCW 80.28.060 and WAC 480-80-121 require a thirty-day notice prior to the effective date of the tariff. The tariff sheets bear an inserted effective date of March 18, 2003. This date recognizes statutory notice as required. The Company requests, however, less than statutory notice as permitted in WAC 480-80-122, and that the revision become effective March 1, 2003. South Bainbridge Water stated the reason for less than statutory notice is to coincide with the Company’s billing cycle and contract approval for the transfer of the water system.
- 3 WAC 480-110-425 requires customers must receive notice thirty days prior to the requested effective date when a water company proposes to amend its current

tariff. Granting the Company's less than statutory notice request also requires an exemption from WAC 480-110-425. For the same reason listed in seeking less than statutory notice, the Company seeks such an exemption from customer notice requirements. The Company proposes to notice customers by bill insert during its next billing cycle.

- 4 Since the proposed tariff revisions appear to be fair, just, and reasonable, and less than statutory notice is consistent with the public interest, it is appropriate that the Commission grant South Bainbridge Water's request with an effective date of March 1, 2003.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, and transfers of public service companies, including water companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.28 RCW.*
- 6 (2) South Bainbridge Water is a water company and is a public service company subject to the jurisdiction of the Commission.
- 7 (3) South Bainbridge Water is subject to the provisions of RCW 80.28.060 and WAC 480-80-121 requiring water companies to file changes in any rate or charge with thirty days' notice. For good cause shown, however, the Commission may allow changes without requiring thirty days' notice by order specifying the changes to be made and the time when it shall take effect. *WAC 480-80-122.*

- 8 (4) WAC 480-110-215 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-110 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 9 (5) Staff has reviewed the request in Docket UW-030213 and recommended the less than statutory notice request of South Bainbridge Water be granted. Staff further recommended the Commission grant an exemption to WAC 480-110-425 and require the Company to notice customers by bill insert during its next billing cycle.
- 10 (6) This matter was brought before the Commission at its regularly scheduled meeting on February 28, 2003.
- 11 (7) After examination of the proposed tariff revisions filed by South Bainbridge Water on February 18, 2003, and giving consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revisions should become effective March 1, 2003.
- 12 (8) The Commission also finds the Company should be granted an exemption to the customer notice requirements.

ORDER

THE COMMISSION ORDERS:

- 13 (1) The request sought by South Bainbridge Water System, Inc., for less than statutory notice is granted.

- 14 (2) After the effective date of this Order, South Bainbridge Water System, Inc., is granted an exemption from WAC 480-110-425, Water company customer notice requirements. South Bainbridge Water System, Inc., shall notice customers by bill insert during its next billing cycle.
- 15 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 28th day of February, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary