

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

In the Matter of the Application of)	DOCKET NO. UW-031154
)	
PARADISE LAKES COUNTRY)	ORDER NO. 01
CLUB,)	
)	
Applicant,)	
)	ORDER REMOVING COMPANY
Requesting Removal from)	FROM REGULATION AND
Commission Regulation)	CANCELLING TARIFF
.....)	

BACKGROUND

- 1 On July 1, 2003, Evergreen Water & Sewer District #19 of Whatcom County took over operation and ownership of the Paradise Lakes Country Club. This transfer occurred as a result of Eminent Domain proceedings litigated in Whatcom County Superior Court. The water system provides water service to approximately 1,320 residential customers near Maple Falls, in Whatcom County.
- 2 As a result of this action, Paradise Lakes Country Club, is determined to no longer provide regulated water service. The Commission can remove a water company from regulation under the provisions of RCW 80.04.010. A water company cannot be removed from regulation except with the approval of the Commission. Removing Paradise Lakes Country Club, from regulation will be consistent with the public interest, because the water system is now operated and owned by Evergreen Water & Sewer District #19, which is not regulated by the Commission.

FINDINGS AND CONCLUSIONS

- 3 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, 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.*
- 4 (2) Paradise Lakes Country Club, is an investor-owned water company, was engaged in the business of providing water services within the state of Washington and is subject to the jurisdiction of the Commission .

- 5 (3) Evergreen Water & Sewer District #19 is exempt from Commission regulation under RCW 80.12.020 and RCW 36.96.010 and is not subject to the jurisdiction of the Commission.
- 6 (4) This matter was brought before the Commission at its regularly scheduled meeting on August 13, 2003.
- 7 (5) From all indications, it appears to be in the public interest to grant the request of removal from regulation and cancel the corresponding tariff.

ORDER

THE COMMISSION ORDERS:

- 8 (1) Paradise Lakes Country Club, is hereby determined not to be jurisdictional pursuant to the Commission Staff investigation and documents filed with the Commission.
- 9 (2) Paradise Lakes Country Club, is removed from regulation by this Commission and its current tariff WN U-1 is cancelled as of the effective date of this Order.

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 13th day of August, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary