

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

In the Matter of the Application of	)	DOCKET NO. UW-051689
	)	
FROG POND WATERS, INC.,	)	ORDER NO. 01
	)	
	)	
Requesting Removal from	)	ORDER REMOVING COMPANY
Commission Regulation	)	FROM REGULATION AND
.....	)	CANCELLING TARIFF

**BACKGROUND**

- 1     On October 1, 2005, Public Utility District No. 1 of Kitsap County, purchased the assets and took over operation and ownership of Frog Pond Waters, Inc. Public Utility District No. 1 of Kitsap County’s office is located in the Seabeck area, and serves approximately 510 customers in Kitsap County.
- 2     After Commission investigation, Frog Pond Waters, Inc., 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 Frog Pond Waters, Inc., from regulation will be consistent with the public interest because the water system is now operated and owned by Public Utility District No. 1 of Kitsap County, 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) Frog Pond Waters, Inc., is an investor-owned water company and is a public service company subject to the jurisdiction of the Commission.
- 5 (3) Public Utility District No. 1 of Kitsap County, is a public utility district 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 November 30, 2005.
- 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) Frog Pond Waters, Inc., is hereby determined not to be jurisdictional pursuant to the Commission Staff investigation and documents filed with the Commission.
- 9 (2) Frog Pond Waters, Inc., is removed from regulation by this Commission and its current tariff WN U-01 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.

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DATED at Olympia, Washington, and effective this 30th day of November, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary