

Endejan Law, LLC, 5109 23rd Ave. West, Everett, WA 98203

April 19, 2024

SENT VIA WEB PORTAL AND E-MAIL

Jeff Killip
Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

**Re: WUTC v. Cascadia Water, LLC
Docket UW-240151**

Dear Mr. Killip:

Enclosed for filing in the above-referenced docket is the Motion of Water Consumer Advocates of Olympic Peninsula to Suspend Tariff Effective Date and Continuance of Rate Case Filing Open Meeting on behalf of Water Consumer Advocates of Olympic Peninsula.

/s/ ENDEJAN LAW,LLC

Judith A. Endejan
5109 23rd Ave. West
Everett, WA 98203
Tel.(206)799-4843

Enclosures

cc: Service List (E-mail only)

**BEFORE THE
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

CASCADIA WATER, LLC,

Respondent.

DOCKET NO. UW-240151

MOTION OF WATER
CONSUMER
ADVOCATES OF
OLYMPIC PENINSULA
TO SUSPEND TARIFF
EFFECTIVE DATE
AND CONTINUANCE
OF RATE CASE
FILING OPEN
MEETING

TO: JEFF KILLIP, Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, Washington, 98504-7250; and

TO: PARTIES OF RECORD:

1. The Water Consumer Advocates of Olympic Peninsula (“Advocates”) respectfully request the Washington Utilities and Transportation (“WUTC” or “Commission”) to suspend the effective date of June 1, 2024, for the rate increases proposed by Cascadia Water, LLC (“Cascadia”) in this docket, and for a continuance of the consideration of this rate increase currently set for the May 23, 2024, Open Meeting for at least 90 days, pursuant to WAC 480-07-385(2)(a). In the alternative, Advocates request that this rate case be suspended, and set for hearing.

2. Advocates represent the water systems (Estates/Monterra, Discovery Bay, Aquarius, and Pederson) that Cascadia has included in proposed rates for the Peninsula System. A prior version of Advocates participated in Cascadia’s last rate in Docket UW 200979 on behalf of two water systems—Estates and Monterra in 2021. In that docket the

Commission ordered Cascadia to file split tariffs for Estates/Monterra and Cascadia's water system on Whidbey Island due to vast differences in costs and the inequity of spreading those costs on Estates/Monterra customers who derived no benefit from those costs expended for Whidbey Island.

3. Since then, Cascadia has added three other water systems (Discovery Bay, Aquarius, and Pederson) to its Olympic Peninsula holdings. While Cascadia has differentiated between its holdings in different geographic areas of Washington, in this case its proposed rate increases for the Peninsula System will cause serious rate shock to customers within that system. It seeks rate increases of 94 % increase for Estates/Monterra, 35% for Discovery Bay, 24% for Aquarius and 65 % for Perderson. Cascadia's Customer Notice ("Notice") did not explain any reason for this wide rate variation between systems. Nor does the financial information provided in its rate case filing document any costs associated with the Peninsula systems to justify such a huge increase in rates. Its Notice says that the only Peninsula-specific investment that Cascadia made is the replacement of an old above-ground reservoir for the Estates system and new booster pumps but none of these costs are listed in the Assets for Peninsula, which lays out original costs and service times dating back to 1979. These assets disclose expenditures for meter installation in the Monterra system, but Cascadia received \$150,000 for this purpose in the 2021 rate case, so these meter costs have been recovered in the 2021-22 rates and should not be included in the 2024 rate case. Moreover, the Advocates questions the assumed, automatic 12% rate of return ("ROR"), when other utilities such as Puget Sound Energy have a much lower ROR.

4. The bottom line is that Advocates have many questions about Cascadia's rate case filing and need to conduct a thorough analysis of more financial records to find answers to those questions. Advocates cannot do this by the May 23, 2024, deadline and they need more time to analyze a rate case that is much more complicated than the 2021 rate case. This case involves 29 water systems across seven counties and two Department of Health

("DOH") districts. Advocates are entitled to question how costs were allocated, and rates developed for these systems to see if they justify, in any way, a 94% rate increase. One of its members is a senior economist with an international energy and consulting firm specialty in utility rate and he is baffled by the reporting that Cascadia made for its new filing. He and other members Advocates would like time to work with Commission staff and DOH to get records and data about this rate case.

5. Advocates is an ad hoc grass-roots citizens group, composed mainly of interested senior citizens who object to a major increase (94%!) to a necessary cost of their daily living. Advocates are entitled to present a well-informed, thoughtful position to the Commission, which they can only do if they are given more time to do their work.

6. Advocates have not been dilatory here, but organized as quickly as they could once they received the Notice in the third week of March 2024. Advocates were not able to retain the undersigned counsel, who entered a Notice of Appearance, until April 16, 2024. The undersigned has a ten day absence from April 27 to May 9 and is unable to provide legal assistance during that time. This leaves few days before the May 23 Open Meeting to prepare for the Commission's consideration of Cascadia's drastic rate increases, particularly because it will take time to get records (i.e. work papers and DOH Water Service Plans)¹ from the Commission and DOH and time for a thorough analysis.²

7. Cascadia will not be prejudiced by delay. It filed this rate case on February 29, 2024, proposed an effective date on only three months thereafter. Its last rate case took more than twice as long, with several adjourned Open Meetings. The Commission has repeatedly continued Open Meetings for months in several recent water dockets, (UW-220218 and UW-230132). Under these circumstances good cause exists for continuing the

¹ The Advocates needs to request the current Water Service Plans that Cascadia must file with DOH and have been advised that getting these plans will take from 30 to 60 days.

² Vicki Colburn, who spearhead the organization of the Advocates for this rate case wrote the Commission on April 9, 2024, requesting a rescheduling of the Cascadia matter on the May 23, 2024, Open Meeting calendar, but this was rejected. Exhibit A contains Ms. Colburn's communications with the Commission.

consideration of the Cascadia rate case, rescheduling it at least 90 days from the May 23, 2024, Open meeting and suspending the effective dates of Cascadia's proposed tariffs.

8. This will reasonably accommodate the needs of impacted customers who face a 94 % increase, with no articulable harm to Cascadia. In contrast, if this request is denied Advocates will be very prejudiced and can only conclude that the Commission is not interested in hearing the voices of these water consumers, preferring to advance the cause of a major corporation. Granting this motion is in the public interest.

Dated this 19th day of April 2024.

Endejan Law, LLC

/s/ Judith A. Endejan
Judith A. Endejan

5109 23rd Ave. West
Everett, WA 98203
Tel.(206)799-4843

CERTIFICATE OF SERVICE

DOCKET UW-240151
WUTC v. Cascadia Water, LLC

I HEREBY CERTIFY that I have this day served *Motion of Water Consumer Advocates of Olympic Peninsula to Suspend Tariff Effective Date and Continuance of Rate Case Filing Open Meeting* upon all parties of record in this proceeding, by electronic transmission to the email addresses or by mailing a true and correct copy, postage prepaid, to each party or party representative listed in the Commission's master service list for this docket.

COMMISSION STAFF:

jeff.roberson@atg.wa.gov
Office of the Attorney General
Utilities & Transportation Commission,

PUBLIC COUNSEL

Tad.oneill@atg.wa.gov
PCCSeaEF@ATG.WA.Gov
Corey.Dahk@ATG.WA.Gov
Stephanie.Chase@ATG.WA.Gov
800 Fifth Avenue Ste 2000
Seattle, WA 98104-3188

Courtesy Service:
mike.young@utc.wa.gov
Rachel.stark@utc.wa.gov
corey.dahl@atg.wa.gov

CASCADIA WATER, LLC

Culley Lehman, General Manager
culley@cascadiawater.com 18181
SR 525
P.O. Box 549
Freeland, WA 98249

NW NATURAL HOLDINGS COMPANY

Eric Nelsen, eric.nelsen@nwnatural.com
NW Natural eFiling, eFiling@nwnatural.com
250 SW Taylor Street
Portland, OR 97204

Dated at Everett, Washington this 19th of April
2024.

/s/ Judith A. Endejan
Endejan Law, LLC