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June 19, 2006

Ms. Carole J. Washburn, Executive Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive SW
Olympia, WA 98504-7250

Re: Docket No. A-050802

Dear Ms. Washburn:

I am writing to you to offer my reflection as attorney for water companies and other smaller entities on proposed WAC 480-07-700(3). It is my belief that the proposed rule will potentially make settlement discussions for water companies more difficult to undertake.

Rate filings by water companies are routinely suspended, starting the adjudicative process. Please note that this statement is not meant to imply any criticism of the process for handling water company filings. Very often, there are significant resource problems for Commission Staff in dealing with the volume of water company rate filings. Just as often, the filings are made by small water companies whose books and records are not in pristine condition. This makes it difficult for Commission Staff to get all of the information it needs to resolve a filing prior to the expiration of the time for suspension.

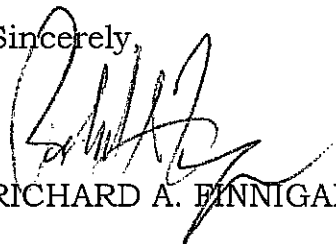
In any event, productive discussions routinely take place between Commission Staff and the water company leading to settlement after the matter has been suspended. Under these circumstances, why should Public Counsel now be involved, at least in the way of getting notice, of all of the settlement discussions that occur. The settlement discussions often take the form of e-mails and conference calls between the parties. I sincerely doubt that Public Counsel would want to be involved. Yet, if they have to be called every time to ask if they want to be involved in the conversation, that is just a waste of time for Commission Staff and the water company.

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In addition, just because some customers intervened in a prior rate case with a water company does not mean that they are necessarily interested in a filing made a year or two later. Why should those customers be included in settlement negotiations if they have not expressed an interest in being involved in the case? The requirements of proposed WAC 480-07-700(3)(b)(v) are an unnecessary complication to the settlement process.

Thank you for your consideration of these comments.

Sincerely,



RICHARD A. FINNIGAN

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