

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

SARAH HAND,

Complainant,

v.

RAINIER VIEW WATER COMPANY,
INC.,

Respondent.

DOCKET UW-170924

ORDER 04

CONFIRMING COMPLIANCE
WITH ORDER 03

BACKGROUND

- 1 On December 18, 2018, the Washington Utilities and Transportation Commission (Commission) entered Order 03, Final Order (Order 03) in this docket finding that the water Sarah Hand was receiving from Rainier View Water Company, Inc. (Rainier View or Company) was impure. The Commission ordered the Company to take certain remedial actions as a result of that finding.
- 2 On April 4, 2019, Rainier View filed a letter with the Commission requesting confirmation that the Company has complied with Order 03. Rainier View provided test results showing that the level of manganese in the water supplied to Ms. Hand's home is at "non detect" levels. Rainier View also submitted a copy of the Company's policy to inform customers of their right to contact the Department of Health (DOH) about water quality matters.¹
- 3 On April 15, 2019, Commission staff (Staff) filed a letter with the Commission stating Staff's view that Rainier View has complied with Order 03.
- 4 On April 16, 2019, Ms. Hand filed a letter objecting to the Company's request. Ms. Hand contends that Rainier View has provided no evidence that the water it supplies her is "pure" as a matter of law, *i.e.*, that it meets all water quality standards for primary and secondary contaminants, not just manganese. Ms. Hand also claims that the Company

¹ On April 11, 2019, Rainier View filed a revised Company policy on informing customers of their right to contact DOH.

failed to provide specific information about how it will inform customers of their right to contact DOH and how they can do so.

DISCUSSION AND DECISION

- 5 We agree with Staff that Rainier View has demonstrated compliance with the terms of Order 03. The Commission's finding in that Order that the water the Company was supplying to Ms. Hand was impure was based solely on elevated levels of manganese. Oxidized manganese was the only source identified in the record for the water's discoloration and odor. We did not find – nor is there sufficient record evidence to support a finding – that the water fails to meet applicable standards for any other primary or secondary contaminants. Ms. Hand does not claim in her comments that the water she receives is still discolored or otherwise problematic. We will not expand the scope of Order 03 beyond the requirement that the Company demonstrate that the amount of manganese in the water supplied to Ms. Hand is at or below an acceptable level. No party disputes that the Company has done so.
- 6 Nor did we dictate in Order 03 how Rainier View must inform its customers of their right to lodge water quality complaints with DOH. Rather, we required the Company to work with Staff to develop an appropriate means of providing the information. Staff confirms that the Company has done that. Ms. Hand may disagree with the result, but that disagreement is not a basis for finding that Rainier View has not complied with Order 03. Staff, not Ms. Hand, is responsible for ensuring that the Commission protects consumers in this state, and we will rely on Staff's judgment in the absence of any showing that the method on which it and the Company have agreed fails to achieve the desired objective.
- 7 Accordingly, we find and conclude that Rainier View has complied with the ordering paragraphs in Order 03. That Order prohibited the Company from charging or collecting any moneys from Ms. Hand from the date of Order 02, Initial Order, until the Company has fully complied with the terms of Order 03. Having found such compliance, Rainier View may now resume billing Ms. Hand for the water service it provides effective on the date of this Order.

ORDER

THE COMMISSION ORDERS That

- 8 (1) Rainier View Water Company, Inc., has complied with the ordering paragraphs in Order 03.

- 9 (2) Rainier View Water Company, Inc., may resume billing Sarah Hand for the water the Company provides to her effective on the date of this Order.
- 10 (3) This docket is closed.

Dated at Olympia, Washington, and effective May 1, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chairman

ANN E. RENDAHL, Commissioner

JAY M. BALASBAS, Commissioner